

1. Roll Call

| | |
|----------------------------------|-----------|
| 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; Mark Walling, Deputy Town Attorney; Alissa Straus, Senior Personnel Clerk; Jennifer Robertson, IT Director; Christopher Hull, Director, Community Development; Martin Denecke, Director of Senior, Youth, and Recreation Departments; Kevin Trask, Chief of Police; Martin C. Denecke, Director of Youth, Recreation & Senior Services; Drew Riley, Planning Consultant; Samantha Tarczynski, Director of Finance; Ted Casey, Highway Superintendent

The Town Board Meeting was opened at 7:00 PM by Supervisor Shaw.

2. Pledge of Allegiance

The recitation of the Pledge of Allegiance to the Flag was lead by Supervisor Shaw.

3. Minutes of Previous Meetings

RESOLVED, that the Hamburg Town Board does hereby approve the minutes of the previous meeting as follows:

6-8-2020 Hamburg Town Board Work Session
6-8-2020 Hamburg Town Board Meeting

Moved: Hoak

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

| | | |
|----------------|------------------|--|
| ADOPTED | Ayes 5 | Connolly, Farrell, Hoak, Petrie, Shaw |
| | Nays 0 | |
| | Abstain 0 | |

Motion to approve the amended minutes as presented to the Town Council prior to the meeting via email.

4. Assessment Office Thank you

WHEREAS, the Town of Hamburg is deeply indebted to all of its employees who maintained a consistent level of performance during the COVID-19 shutdown; and

WHEREAS, the Board of Assessment Review for the Town of Hamburg was mandated by law to schedule a virtual meeting to entertain small claim assessment petitions under circumstances wherein the Town had just recently agreed to appoint a new Assessor within days prior to the establishment of the Board of Assessment Review hearings on May 28, 2020; and

WHEREAS, absent the extraordinary efforts of the new Town Assessor Dan Stanford and particularly Dawn Aydelotte, Lynn DiPirro and Jennifer Robertson the virtual meetings could not have taken place which would have resulted in a significant delay in Town and School District budgeting for this budget year;

NOW THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Hamburg offers its sincere thanks for efforts above and beyond the call of duty to Dan Stanford, Dawn Aydelotte, Lynn DiPirro and Jennifer Robertson for putting together the Board of Assessment Review hearings on short notice and to such great affect thereby enabling all petitions to be fully considered in a timely fashion.

Moved: Shaw

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

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|----------------|------------------|--|
| ADOPTED | Ayes 5 | Connolly, Farrell, Hoak, Petrie, Shaw |
| | Nays 0 | |
| | Abstain 0 | |

5. Application for a Child with Autism Area Sign

WHEREAS an application for a Child with Autism Area sign, along with the necessary accompanying documentation, has been received from the resident at 3574 Horton Avenue, Blasdell NY 14219 and reviewed,

THEREFORE, BE IT, RESOLVED that the Town of Hamburg Town Board approve the installation of a New York State approved Child with Autism Area sign by the town's Buildings and Grounds Signals and Sign staff to be completed no later than July 22, 2020. Installation of this sign is with the understanding that the resident will yearly submit the necessary form to confirm their continued residence at this address and need for the sign.

Funds are available in A3310.0205 Signs

Moved: Farrell

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

| | | |
|----------------|------------------|--|
| ADOPTED | Ayes 5 | Connolly, Farrell, Hoak, Petrie, Shaw |
| | Nays 0 | |
| | Abstain 0 | |

Item amended to remove the word "Area" from the phrase "Application for a Child with Autism Area Sign" as read into the record by Councilwoman Farrell including in the heading of the item, in the WHEREAS clause, and in the RESOLVED clause to read "Application for a Child with Autism Sign."

6. Hamburg Coalition for Equity and Inclusion

WHEREAS, the Town of Hamburg recognizes the importance of engaging community members and identifying opportunities to promote conversations addressing discrimination, racism and bias in an effort to build a more inclusive community within Western New York.

WHEREAS, Coalition members will work to engage the community in events that foster awareness and embrace diversity.

WHEREAS, the Coalition will serve as a resource for the Town of Hamburg and all residents.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board approves the formation of the Hamburg Coalition for Equity and Inclusion.

Moved: Hoak

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

| | | |
|----------------|------------------|--|
| ADOPTED | Ayes 5 | Connolly, Farrell, Hoak, Petrie, Shaw |
| | Nays 0 | |
| | Abstain 0 | |

7. Hamburg Coalition for Equity and Inclusion Appointments

RESOLVED, that the Town Board make the following appointments to the HAMBURG COALITION FOR EQUITY AND INCLUSION for a one (1) year term beginning July 1, 2020 and ending June 30, 2021:

Carly Story
Katya Kroll-Haeick
Caleb Houseknecht
Amy Blundell
Rachel Lewis
Ian Lewis
Laura El-Bahtity
Dawn Luniewski

BE IT FURTHER RESOLVED, that the Hamburg Town Board shall appoint Council Member Karen Hoak as the Town Board Liaison along with a Hamburg Police Officer to be designated by Police Chief Kevin Trask on or before July 1, 2020 and

BE IT FURTHER RESOLVED, that the Hamburg Town Board formally invites the Mayors of the Villages of Hamburg and Blasdell to serve on this committee as Liaison

members.

Moved: Hoak

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

ADOPTED **Ayes 5** **Connolly, Farrell, Hoak, Petrie, Shaw**
 Nays 0
 Abstain 0

8. COVID-19 Testing Location

RESOLVED, that the Hamburg Town Board does hereby authorize the Department of Youth, Recreation & Senior Services to enter into an agreement with the Erie County Health Department to serve as a host site for antibody testing for the COVID-19 virus to be held at the Senior Center on Southwestern Boulevard by appointment only; the partnership will not cause the Town of Hamburg to incur any cost.

Moved: Connolly

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

ADOPTED **Ayes 5** **Connolly, Farrell, Hoak, Petrie, Shaw**
 Nays 0
 Abstain 0

9. SH 9269 Southwestern Blvd., Part 3 DOT - Authorization of Supervisor's Signature

WHEREAS, the State has appropriated, for the purpose of the project named SH 9269 Southwestern Boulevard, Part 3, Map 286, Parcel 321, and

WHEREAS, the acquisition map for Parcel 321 was filed in the main office of the New York State Department of Transportation on September 21, 2006, and

WHEREAS, Compensation is to be paid to the Town of Hamburg in the amount of One Hundred and 00/100 Dollars (\$100.00) for the above mentioned property, and

NOW THEREFORE BE IT RESOLVED that Supervisor James M. Shaw is authorized to execute the final papers on behalf of the Town of Hamburg.

Moved: Shaw

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

ADOPTED **Ayes 5** **Connolly, Farrell, Hoak, Petrie, Shaw**
 Nays 0
 Abstain 0

A motion was made following the approval of Item #12 by Supervisor Shaw, seconded by Councilwoman Farrell, to create and approve a Resolution as follows:

(As read into the record by Supervisor Shaw)

Item #12A - Amendment to Items #9, #10, #11, & #12

"RESOLVED, that all state appropriations of town land are subject to reimbursements to the Town of Hamburg as is specified in Resolutions 9 - 12 inclusive and it is further subject to verification by the town as to the accuracy of all the foregoing payments."

The motion was APPROVED as read into the record by Supervisor Shaw 5 - 0

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|----------------------|-----|
| Supervisor Shaw | AYE |
| Councilman Connolly | AYE |
| Councilwoman Farrell | AYE |
| Councilwoman Hoak | AYE |
| Councilman Petrie | AYE |

10. SH 9269 Southwestern Blvd., Part 3 DOT - Authorization of Supervisor's Signature

WHEREAS, the State has appropriated, for the purpose of the project named SH 9269 Southwestern Boulevard, Part 3, Map 220, Parcel 241, and

WHEREAS, in 2004 the NYS Department of Transportation installed a new curb for the project named SH 9269 Southwestern Boulevard, Part 3, Map 220, Parcel 241, and

WHEREAS, Compensation is to be paid to the Town of Hamburg in the amount of One Thousand Four Hundred Fifty and 00/100 Dollars (\$1,450.00) for the above mentioned property, and

NOW THEREFORE BE IT RESOLVED that Supervisor James Shaw is authorized to execute the final papers on behalf of the Town of Hamburg.

Moved: Shaw

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

| | | |
|----------------|------------------|--|
| ADOPTED | Ayes 5 | Connolly, Farrell, Hoak, Petrie, Shaw |
| | Nays 0 | |
| | Abstain 0 | |

A motion was made following the approval of Item #12 by Supervisor Shaw, seconded by Councilwoman Farrell, to create and approve a Resolution as follows:

(As read into the record by Supervisor Shaw)

Item #12A - Amendment to Items #9, #10, #11, & #12

"RESOLVED, that all state appropriations of town land are subject to reimbursements to the Town of Hamburg as is specified in Resolutions 9 - 12 inclusive and it is further subject to verification by the town as to the accuracy of all the foregoing payments."

The motion was APPROVED as read into the record by Supervisor Shaw 5 - 0

| | |
|----------------------|-----|
| Supervisor Shaw | AYE |
| Councilman Connolly | AYE |
| Councilwoman Farrell | AYE |
| Councilwoman Hoak | AYE |
| Councilman Petrie | AYE |

11. SH 9269 Southwestern Blvd., Part 3 DOT - Authorization of Supervisor's Signature

WHEREAS, the State has appropriated, for the purpose of the project named SH 9269 Southwestern Boulevard, Part 3, Map 237, Parcel 259, and

WHEREAS, in 2004 the NYS Department of Transportation installed a new curb for the project named SH 9269 Southwestern Boulevard, Part 3, Map 237, Parcel 259, and

WHEREAS, Compensation is to be paid to the Town of Hamburg in the amount of Eight Thousand Three Hundred and 00/100 Dollars (\$8,300.00) for the above mentioned property, and

NOW THEREFORE BE IT RESOLVED that Supervisor James Shaw is authorized to execute the final papers on behalf of the Town of Hamburg.

Moved: Shaw

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

| | | |
|----------------|------------------|--|
| ADOPTED | Ayes 5 | Connolly, Farrell, Hoak, Petrie, Shaw |
| | Nays 0 | |
| | Abstain 0 | |

A motion was made following the approval of Item #12 by Supervisor Shaw, seconded by Councilwoman Farrell, to create and approve a Resolution as follows:

(As read into the record by Supervisor Shaw)

Item #12A - Amendment to Items #9, #10, #11, & #12

"RESOLVED, that all state appropriations of town land are subject to reimbursements to the Town of Hamburg as is specified in Resolutions 9 - 12 inclusive and it is further subject to verification by

the town as to the accuracy of all the foregoing payments."

The motion was APPROVED as read into the record by Supervisor Shaw 5 - 0

| | |
|----------------------|-----|
| Supervisor Shaw | AYE |
| Councilman Connolly | AYE |
| Councilwoman Farrell | AYE |
| Councilwoman Hoak | AYE |
| Councilman Petrie | AYE |

12. SH 9269 Southwestern Blvd., Part 3 DOT - Authorization of Supervisor's Signature

WHEREAS, the State has appropriated, for the purpose of the project named SH 9269 Southwestern Boulevard, Part 3, Map 259, Parcel 282, and

WHEREAS, in 2004 the NYS Department of Transportation installed a new curb for the project named SH 9269 Southwestern Boulevard, Part 3, Map 259, Parcel 282, and

WHEREAS, Compensation is to be paid to the Town of Hamburg in the amount of Five Thousand and 00/100 Dollars (\$5,000.00) for the above mentioned property, and

NOW THEREFORE BE IT RESOLVED that Supervisor James Shaw is authorized to execute the final papers on behalf of the Town of Hamburg.

Moved: Shaw

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

| | | |
|----------------|------------------|--|
| ADOPTED | Ayes 5 | Connolly, Farrell, Hoak, Petrie, Shaw |
| | Nays 0 | |
| | Abstain 0 | |

A motion was made following the approval of Item #12 by Supervisor Shaw, seconded by Councilwoman Farrell, to create and approve a Resolution as follows:

(As read into the record by Supervisor Shaw)

Item #12A - Amendment to Items #9, #10, #11, & #12

"RESOLVED, that all state appropriations of town land are subject to reimbursements to the Town of Hamburg as is specified in Resolutions 9 - 12 inclusive and it is further subject to verification by the town as to the accuracy of all the foregoing payments."

The motion was APPROVED as read into the record by Supervisor Shaw 5 - 0

| | |
|----------------------|-----|
| Supervisor Shaw | AYE |
| Councilman Connolly | AYE |
| Councilwoman Farrell | AYE |
| Councilwoman Hoak | AYE |
| Councilman Petrie | AYE |

-
13. Authorize Supervisor to enter into Contract with Town of Orchard Park for Assessor Services

WHEREAS, on 4/27/20 the Town Board approved the hiring of Mr. Daniel Stanford as Hamburg's Assessor;

NOW THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Hamburg is authorized to enter into the contract of employment with the Town of Orchard Park which is attached to this resolution.

Moved: Shaw

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

ADOPTED **Ayes 5** **Connolly, Farrell, Hoak, Petrie, Shaw**
 Nays 0
 Abstain 0

-
14. B&G PAF

RESOLVED, that the Town Board does approve the personnel changes attached for the Buildings and Grounds Department.

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

ADOPTED **Ayes 5** **Connolly, Farrell, Hoak, Petrie, Shaw**
 Nays 0
 Abstain 0

-
15. Town Prosecutor Appointment

RESOLVED, that the Town Board approve the following appointment as TOWN PROSECUTOR for a term commencing July 6, 2020 and ending December 31, 2021:

Lisa Poch - per annum salary \$27,000.00

Moved: Hoak

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

ADOPTED **Ayes 5** **Connolly, Farrell, Hoak, Petrie, Shaw**
 Nays 0
 Abstain 0

The Resolution was approved as read by Councilwoman Hoak in place of the originally printed

Resolution as follows:

"RESOLVED, that the Town Board approve the following appointment as TOWN PROSECUTOR for a term commencing upon notification of the Office of Court Administration:

Lisa Poch - per annum salary \$27,000.00"

16. Monitor Upgrade

WHEREAS, the Town of Hamburg is in need of upgrading computer monitors to be compatible with the upcoming network infrastructure upgrades, and

NOW BE IT RESOLVED, that the Town Board approve the purchase of Hewlett Packard Monitors through Networking Technologies, per NYS contract #PM20860. The purchase price is \$19,800. Funds have been encumbered for this purpose from purchase order # 4193943.

Moved: Connolly

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

| | | |
|----------------|------------------|--|
| ADOPTED | Ayes 5 | Connolly, Farrell, Hoak, Petrie, Shaw |
| | Nays 0 | |
| | Abstain 0 | |

Item amended, as read into the record by Councilman Connolly, to remove from the RESOLVED clause "order #4193943" and replace it with "Department A 1690.0207.0002"

17. Email Upgrade

WHEREAS, the Town of Hamburg is in need of upgrading our Microsoft Office 2010 Licensing due to end of support in October 2020, and

WHEREAS, migrating to Microsoft 365 Business Essentials would provide current Microsoft licensing and upgraded email, and

WHEREAS, implementing Barracuda Total Email Protection will provide security, in-house archiving services and cloud back-up, and

NOW BE IT RESOLVED, that the Town Board approve the purchase of Microsoft 365 Business Essentials and Barracuda Total Email Protection. The purchase price is \$39,883.78. Funds have been encumbered for this purpose from unspent 2019 proceeds from accounts within department A.1690.

Moved: Connolly

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

| | | |
|----------------|---------------|--|
| ADOPTED | Ayes 5 | Connolly, Farrell, Hoak, Petrie, Shaw |
|----------------|---------------|--|

Nays 0
Abstain 0

18. Antivirus Software Upgrade

WHEREAS, the Town of Hamburg is in need of upgrading its antivirus software as it is due to expire in September 2020, and

WHEREAS, moving from our current antivirus software to Fortinet Forticlient antivirus software would streamline with our recent network security upgrades as it offers additional security features and monitoring, and

NOW BE IT RESOLVED, that the Town Board approve the purchase of Fortinet Forticlient Security Fabrication. The purchase price is \$8,048.80 for a 3-year licensing term. Funds are available in account # A.1690.499

Moved: Connolly

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

| | | |
|----------------|------------------|--|
| ADOPTED | Ayes 5 | Connolly, Farrell, Hoak, Petrie, Shaw |
| | Nays 0 | |
| | Abstain 0 | |

Item amended, as read into the record by Councilman Connolly, to remove from the RESOLVED clause ".499" located at the end of the clause.

19. Workstation Equipment Upgrade

WHEREAS, the Town of Hamburg is in need of upgrading workstation hardware, and

WHEREAS, the workstation hardware, licensing and statement of work will be leased through Hewlett Packard Enterprise Financial Services for a 36 month lease term at an interest rate of 3.2%. Hardware is on NYS contract #PM20860. The estimated monthly lease payment is \$2,618 with a total lease amount of \$94,231.

NOW BE IT RESOLVED, that the Town of Hamburg approve the purchase of workstation equipment via a 36 month lease term. Funds will be budgeted within the Information Technology Department account A.1690.207.2 beginning in 2021. The amount of funding required for 2020 payments is dependent upon future board action relating to efficiencies such as Town cellphones, printers, the sale of old Town computer equipment, etc. and unanticipated emergency expenses that may arise during the remainder of the year.

Moved: Connolly

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

ADOPTED

Ayes 5

Connolly, Farrell, Hoak, Petrie, Shaw

Nays 0

Abstain 0

Item amended as read into the record by Councilman Connolly. The Item is replaced in its entirety with the following:

WHEREAS, the Town of Hamburg is in need of upgrading workstation hardware, and

WHEREAS, the workstation hardware, licensing and statement of work will be leased via Hewlett Packard Services. Hardware is on NYS contract #PM20860.

NOW BE IT RESOLVED, that the Town of Hamburg approve the purchase of workstation equipment.

20. Network Infrastructure Upgrade

WHEREAS, the Town of Hamburg is in need of upgrading critical connectivity networking infrastructure and licensing, and

WHEREAS, the connectivity networking infrastructure equipment, hardware maintenance and statework of work will be leased through Extreme Networks for a 60 month lease term with 0% interest and a 90 day deferred payment option. Hardware is on NYS contract #PM68020. The estimated monthly lease payment is \$2,038.22 with a total lease amount of \$122,293.19.

NOW BE IT RESOLVED, that the Town of Hamburg approve the purchase of connectivity networking infrastructure equipment via a 60 month lease term. Funds will be budgeted within the Information Technology Department account A.1690.207.3 beginning in 2020. The amount of funding required for 2020 payments is dependent upon future board action relating to efficiencies such as Town cellphones, printers, the sale of old Town computer equipment, etc. and unanticipated emergency expenses that may arise during the remainder of the year.

Moved: Connolly

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

ADOPTED

Ayes 5

Connolly, Farrell, Hoak, Petrie, Shaw

Nays 0

Abstain 0

21. Defensive Driving Program In Person Course Elimination

WHEREAS, the Town of Hamburg, like municipalities throughout our Nation, is experiencing significant revenue shortfalls owing to the extended COVID-19 crisis, and the economic downturn that has resulted from it; and

WHEREAS, given the foregoing reality it is incumbent upon the Town Board of the Town of Hamburg to review expenses, and take appropriate action to minimize and even eliminate expenditures that are not essential or can no longer be justified in light of the economic realities that beset us; and

WHEREAS, the Town's Defensive Driving Program has traditionally consisted of the payment of a Defensive Driving Coordinator, an Instructor (s) and various course materials for in-person classes to be afforded to motorists who for one reason or another seek a reduction in points accumulated on given drivers' licenses; and

WHEREAS, in recent years a majority of individuals who are interested in participating in a defensive driving program or point reduction program have enlisted in various online classes or seminars which more expediently accomplish the same result; and

WHEREAS, the comparative number of motorists who choose to participate in the in person classes have dwindled to just a few a month;

NOW THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Hamburg shall eliminate the defensive driving program in-person course, the position of Defensive Driving Coordinator, and any instructor's positions or course expenditures set forth in the 2020 budget, effective July 1st, 2020.

Moved: Shaw

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

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|----------------|------------------|--|
| ADOPTED | Ayes 5 | Connolly, Farrell, Hoak, Petrie, Shaw |
| | Nays 0 | |
| | Abstain 0 | |

22. Authorize Supervisor to renew Prospect Lawn Cemetery Assoc. Agreement

WHEREAS, the Town of Hamburg is authorized to appropriate and provide funding to the public cemetery corporation known as Prospect Lawn Cemetery Association; and

WHEREAS, the Town has provided a monthly allotment of \$1,500 to subsidize the operations of this public cemetery;

NOW THEREFORE, BE IT

RESOLVED, that the Town of Hamburg authorizes its Supervisor to renew the existing annual contract with Prospect Lawn Cemetery Association upon the same terms and conditions as existed during the past year to take effect on September 1, 2020.

Moved: Shaw

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

was

ADOPTED

Ayes 5

Connolly, Farrell, Hoak, Petrie, Shaw

Nays 0

Abstain 0

23. Replacing Signs at Town Park/Beach

WHEREAS, vehicles without a valid Hamburg Town Park Beach permit sticker are causing parking overcrowding and parking enforcement issues at the beach;

WHEREAS, the several small signs notifying visitors at Hamburg Town Park Beach of the permit sticker requirement do not appear to be effective;

WHEREAS, having one large, prominent sign will be more effective than several small signs;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board approves eliminating the multiple small signs at the park and replacing them with one large sign;

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the sign should highlight the fact that only Hamburg residents that have purchased a Hamburg Town Park Beach permit sticker are allowed to access the park.

MOVED: CONNOLLY

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

ADOPTED

Ayes 5

Connolly, Farrell, Hoak, Petrie, Shaw

Nays 0

Abstain 0

24. ZONING BOARD OF APPEALS APPOINTMENT

RESOLVED, that the Hamburg Town Board makes the following reappointment to the ZONING BOARD OF APPEALS:

Nicole Falkiewicz - MEMBER for a seven (7) year term commencing July 1, 2020, and ending June 30, 2027.

MOVED: CONNOLLY

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

ADOPTED

Ayes 5

Connolly, Farrell, Hoak, Petrie, Shaw

Nays 0

Abstain 0

25. Audit of Cash Disbursements 6-22-2020

TOWN BOARD AUDIT OF CASH DISBURSEMENTS

MONDAY June 22, 2020

| OPERATING FUND | | |
|--|----------------|----------------------|
| Batch Number | Voucher Number | Amount |
| 72 | 108891-108900 | \$ 28,756.60 |
| 73 | 108901-108937 | \$ 49,159.75 |
| 74 | 108938 | \$ 100,000.00 |
| 75 | 108939-108961 | \$ 14,302.68 |
| 76 | 108962-109006 | \$ 61,114.17 |
| 77 | 109007-109060 | \$ 24,826.36 |
| 78 | | \$ 383,783.82 |
| Total Operating Fund Disbursements | | \$ 661,943.38 |
| TRUST AND AGENCY FUND | | |
| Batch Number | Voucher Number | Amount |
| Total Trust and Agency Fund Disbursements: | | \$ - |
| CAPITAL FUND | | |
| Batch Number | Voucher Number | Amount |
| Total Capital Fund Disbursements | | \$ - |
| PAYROLL | | |
| Payroll Number | | Amount |
| Total Payroll Disbursements | | \$ - |
| PETTY CASH | | |
| TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT: | | \$ 661,943.38 |

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

ADOPTED **Ayes 5** **Connolly, Farrell, Hoak, Petrie, Shaw**
 Nays 0
 Abstain 0

A motion proposed by Supervisor Shaw to Receive and File, seconded by Councilwoman Farrell, was

APPROVED 5 - 0

26. Business from the Floor

Supervisor Shaw presented a Proclamation in honor of the recently deceased Richard "Dick" Smith previous to the consideration or approval of any agenda items. Mr. Smith served the Town of Hamburg and its residents honorably as a Town Councilman, Town Highway Superintendent, and New York State Assemblyman.

In Memoriam of Dick Smith

WHEREAS, All of Hamburg grieves the passing of Dick Smith, a great father, devoted public servant, and a steadfast friend to so many for so long; and

WHEREAS, All who were privileged to know him value his half century of service to the people of Hamburg, as a volunteer, a sportsman, a Town Council Member, our Highway Superintendent, and as the peoples' representative in the N. Y. State Assembly;

NOW THEREFORE, BE IT

RESOLVED, That we honor the life Dick lived on behalf of all who benefitted from his service;

NOW THEREFORE, BE IT FURTHER

RESOLVED, We trust that the Community he loved will long remember him, as a devoted friend, faithful servant, and a great father to his four children.

On a motion from Supervisor Shaw, seconded unanimously, the Proclamation was approved 5 - 0.

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|----------------------------------|-----|
| James Shaw, Supervisor | AYE |
| Shawn Connolly, Councilmember | AYE |
| Elizabeth Farrell, Councilmember | AYE |
| Karen Hoak, Councilmember | AYE |
| Michael Petrie, Councilmember | AYE |

REPORT of DEPARTMENT HEADS

Councilman Petrie asked Roger Gibson, Chief Code Enforcement, if any town parking existed around or near the clock tower located on Route 5 adjacent to the restaurant, Hoak's on the Lake. Mr. Gibson replied that the Town Engineering Department oversaw the project and would be best suited to respond. Councilwoman Hoak stated that the owner of Hoak's leases spots from the NYSDOT, but because the town owns the clock tower they are responsible for the parking spaces currently in need of repair. The Town Engineering department informed the Supervisor that they were checking with the Army Corp of Engineers to see if they need to approve. Also, the town is seeking FEMA reimbursement for the repairs. Mr. Tom Lardo confirmed that the Town does have parking spots at the tower. Normally it would be four (4), but two (2) need repair.

Pat Ryan, Director of Buildings & Grounds - Asked if B&G would be creating and installing the new sign at the beach. Mr. Connolly replied in the affirmative. He continued that Recreation would be in touch about design and he would also help.

Jennifer Kosmowski, Director, Domestic Violence - Activity has been steady.

Kevin Trask, Chief of Police - Commended Detective Sergeant Scott Kashino for his years of service to the department and town saying that his retirement is a "tremendous loss" to the department. He finished by thanking Detective Sergeant Kashino for his years of service. Supervisor Shaw responded in agreement stating that Kashino has been a "wonderful policeman" adding that he will have a proclamation drawn up for the next meeting for him.

Catherine Rybczynski, Town Clerk - Reminded residents that tomorrow is Primary day with voting from 6 am - 9 pm as well as detailing changes in voting locations. Mrs. Rybczynski also reported that Town Hall hosted early voting for ten (10) days and would be doing the same come time for the General Election in November. She finished by thanking the Buildings and Grounds staff for all of their hard work in making early voting work so well adding it "couldn't have been done without them."

Dan Stanford, Town Assessor - Researching grant for data collection and revaluation.

Ted Casey, Highway Superintendent - Looking to share the paving plan...have a little more to add...would like to do so in person. Will be putting the poor road report on line for residents. Commended Kwik-Fil for putting together care packages for first responders. He concluded by sharing his grief over the passing of Richard "Dick" Smith.

Kate Hilliman, Traffic Safety - Reported that she met with the Executive Director of Penn-Dixie and are trying to help install the driveway to the site.

Councilwoman Hoak reported that the Lakeshore Library project will be wrapped up by July 27th.

27. Meeting is adjourned by Supervisor

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

| | | |
|----------------|------------------|--|
| ADOPTED | Ayes 5 | Connolly, Farrell, Hoak, Petrie, Shaw |
| | Nays 0 | |
| | Abstain 0 | |

Meeting adjourned at 8:04 PM

Open Meetings Law, Public Officers Law, Article 7, §106. Minutes.

Minutes shall be taken at all open meetings of a public body which shall consist of a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon.

These minutes are an unofficial copy unless the original signature of the Town Clerk is

affixed below. The original official paper minutes are stored in the Town's vault.

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

MUNICIPAL COOPERATION AGREEMENT

THIS AGREEMENT made and entered into this ____ day of _____, 2020
by and between:

The TOWN OF ORCHARD PARK, a municipal corporation formed under the laws of the State of New York, party of the first part, (hereinafter referred to as "ORCHARD PARK"), having its principal office at 4295 South Buffalo Street, Orchard Park, New York 14127, and

THE TOWN OF HAMBURG, a municipal corporation formed under the laws of the State of New York, party of the second part, (hereinafter referred to as "HAMBURG"), with its principal office at 6100 South Park Avenue, Hamburg, New York 14075.

WITNESSETH:

WHEREAS, ORCHARD PARK is empowered and required to have an Assessor in accordance with the provisions of Town Law, Section 20, of the State of New York, and presently has a single appointed Assessor; and

WHEREAS, HAMBURG is empowered to name and designate an Assessor pursuant to the same statute; and

WHEREAS, ORCHARD PARK is empowered to enter into an agreement on a contractual basis with HAMBURG for the provision by ORCHARD PARK of an Assessor to Hamburg pursuant to Section 119-o of the General Municipal Law of the State of New York, subject to approval by both the Town Board of ORCHARD PARK, and the Town Board of HAMBURG; and

WHEREAS, pursuant to resolutions duly approved by a majority vote of the Town Board of ORCHARD PARK and by a majority vote of the Town Board of the Town of HAMBURG, respectively, the parties hereby agree as follows:

1. Statement of Agreement: ORCHARD PARK agrees to provide its Assessor to HAMBURG during the term of this Agreement, and HAMBURG agrees to contract with ORCHARD PARK to have ORCHARD PARK's Assessor provide Assessor services to HAMBURG in accordance with law and subject to the terms of this Agreement.

2. Legal Basis: This Agreement is authorized pursuant to and by Article 5-G, Section 119-0, of the General Municipal Law of the State of New York.

3. Delivery of Services:

- (a) **Service Area:** ORCHARD PARK shall provide an Assessor to HAMBURG to assess all real property located within the Town of HAMBURG and to otherwise perform all duties required or authorized by law as Assessor for HAMBURG.
- (b) **Assessing Responsibilities:** ORCHARD PARK shall have the Assessor of ORCHARD PARK act as Assessor for HAMBURG and provide HAMBURG an assessment roll in accordance with the provisions of the Town and Real Property Tax Law. As part of the duties, the Assessor will review and advise the HAMBURG Town Attorney concerning any tax certiorari suits commenced against HAMBURG, and furnish a monthly report, if requested, on the activities and status of matters in HAMBURG's assessor's office. Additionally, ORCHARD PARK's Assessor shall not be regularly required to attend Hamburg Town Board meetings, but may be asked from time to time to attend a Hamburg Town Board meeting on an as-needed basis.
- (c) **Designation of Assessor:** The Assessor of ORCHARD PARK shall, by resolution of HAMBURG, be designated as HAMBURG's Assessor. (For purpose of this agreement, the term "Assessor" shall mean the person designated as Assessor for ORCHARD PARK and HAMBURG.) This agreement is contingent upon Daniel Stanford acting as Assessor for ORCHARD PARK and HAMBURG. In the event Daniel Stanford is no longer the appointed Assessor for ORCHARD PARK, the Town of HAMBURG reserves the right to terminate this agreement.
- (d) **Dedication of Time:** The Assessor shall devote a minimum of two (2) full work days per week to ORCHARD PARK and two (2) full work days per week to

HAMBURG and shall be present at the ORCHARD PARK or HAMBURG Assessor's Office, or in the field, for its benefit for such time period. With respect to the fifth full work day, the Assessor will be expected to alternate on a weekly basis between ORCHARD PARK and HAMBURG so that he devotes substantially equal time to each. In the event the Assessor intends to utilize vacation time, he will provide the Town Supervisor of HAMBURG a minimum of one (1) week notice, prior to taking such time. The Assessor's vacation and other leave time shall be allocated on an equitable basis between the work days respectively devoted to ORCHARD PARK and HAMBURG.

- (e) The Orchard Park Assessor shall be a consultant to the Town of Hamburg from April 27, 2020 until April 26, 2021; he was be designated as the Assessor as of April 27, 2020, until April 26, 2021.

4. Resources:

- (a) **Office Expenses:** Unless otherwise set out herein, HAMBURG shall furnish all postage and NYS Office of Real Property Services required assessor software to provided assessing services to HAMBURG.

(b) **Expenses to be paid by HAMBURG**

HAMBURG shall pay its normal and customary expenses associated with the performance of the assessors duties, including, but not limited to providing its Assessor with on line access to HAMBURG'S assessment roll and any and all incidental charges for notebooks, delivery and revision to such printed roll. HAMBURG shall also bear any and all costs for any postage for notices required to be sent to owners of property located within the Town of HAMBURG relative to any change in assessment roll and the cost of any publication.

- (c) **Liabilities of HAMBURG:** HAMBURG shall indemnify and hold ORCHARD PARK harmless with respect to all liabilities associated with any erroneous, illegal, or inappropriate assessment made by the Assessor for properties within HAMBURG, while performing his duties pursuant to this Agreement.

Similarly, HAMBURG shall pay any and all costs associated with any re-evaluation of HAMBURG property ordered by any Court or which may be ordered by the Town Board of HAMBURG, on any and all real property located within HAMBURG. Additionally, HAMBURG shall be solely responsible for any and all legal expenses incurred in defending any litigation which may accrue as a result of any assessment imposed by the Assessor, and/or the Board of Assessment Review of HAMBURG, and shall further pay any and all costs associated with any appraisal of real property located in HAMBURG ordered by the Assessor, after consultation with the Town Board of HAMBURG, to supplement any assessment determination made by the Assessor.

(d) **Records of HAMBURG:** All assessing records of HAMBURG shall be maintained at, and all assessing functions of HAMBURG shall be conducted by, HAMBURG's Assessor's Office, 6100 South Park Avenue, Hamburg, New York 14075.

5. Fees:

(a) **Total Sum:** HAMBURG shall pay ORCHARD PARK \$75,000.00 per year as follows: HAMBURG shall remit quarterly payments to ORCHARD PARK in the amount of \$18,750.00 upon execution of this agreement and prior to commencement of the quarter for which services are to be rendered throughout the term of this agreement.

(b) **Term:** The term of this Agreement shall be for a period of 12 months, commencing on April 27, 2020 and continuing to April 26, 2021. However, this agreement shall be deemed renewed on the same basis each year thereafter, for a further term of one (1) full calendar year. Each party has the option to terminate the contract on the 2nd and 4th anniversary of the agreement upon 90 notice from one party to the other.

6. Expenses paid by Orchard Park: Orchard Park shall pay the remaining amount owed to pay Mr. Stanford for his salary as well as his salary increases during the length of this agreement. Orchard Park shall also pay his signing bonus, the Orchard park overhead, his medical insurance

employer contribution, dental insurance employer contribution, HRA, life insurance employer premium, retirement employer contribution, and Social Security/Medicare employer contribution. Orchard Park shall pay these costs, any increases in these costs and well as any increases in his salary during the length of the agreement. The costs for 2020 are attached as Schedule A.

7. Dispute Resolution: Any conflict between the parties concerning the extent or manner of the performance of assessing service delivered to HAMBURG not set out in the agreement shall be resolved in the first instance by the Town of ORCHARD PARK provided that no such determination shall result in a direct financial cost to the Town. HAMBURG reserves the right to immediately terminate this Agreement upon any determination by ORCHARD PARK covered by this section.

8. Governing Law: This Agreement shall be interpreted and implemented pursuant to the laws of the State of New York.

9. Execution: The parties hereto have executed this Agreement the day and year first above written.

TOWN OF ORCHARD PARK

TOWN OF HAMBURG

By:
Patrick J. Keem
Its: Supervisor

By:
James Shaw
Its: Supervisor

STATE OF NEW YORK)
COUNTY OF ERIE)) ss:

On the _____ day of _____, in the year 2020, before me, the undersigned, personally appeared James Shaw, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the entity or individual upon behalf of which the individual acted, executed the instrument.

Notary Public

STATE OF NEW YORK)
COUNTY OF ERIE)) ss:

On the ____ day of _____, in the year 2020, before me, the undersigned, personally appeared Patrick J. Keem, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the entity or individual upon behalf of which the individual acted, executed the instrument.

Notary Public

TOWN OF HAMBURG - PERSONNEL ACTION FORM

Date of Request _____ Department- _____

Department Head Signature _____

Supervisor Signature *[Signature]* Date 5/12/20

TOWN BOARD MEETING OF June 22, 2020

PAGE _____ of _____

I request that a Town Board Resolution be adopted approving the following personnel action:

| # | Emp # | Emp Name | N or R | Position | Start date | Full time hrly rate | PT/Sea/temp hrly rate | Term date |
|----|-------|--------------|--------|-----------------------|------------|------------------------|--------------------------|-----------|
| 1 | 4534 | Mike Collins | | PT Laborer/A.7140.100 | | | \$11.80 | 6/8/2020 |
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