

# Hamburg Town Board Work Session

## Catherine A. Rybczynski, Clerk

### 09-14-2020

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; Samantha Tarczynski, Director of Finance; Martin C. Denecke, Director, Youth, Recreation and Senior Services; Alissa Straus, Sr. Personnel Clerk; Sean Crotty, Sr. Dispatcher; Nicholas Budney, Captain, Hamburg Police Department; Peter Dienes, Captain, Hamburg Police Department; Ted Casey, Highway Superintendent; Walter Rooth, Town Attorney;

**1.**

**RESOLVED**, that the Town Board opens the Work Session at 5:30 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	
	Abstained	0	

A report was given to the Town Board by Town Planner Drew Reilly.

MEMO

The following is an update to the Town Board on Planning Department's projects/activities. Please reach out to me, if you have any questions concerning any of these items. I will be at the September 14th Work Session and can answer any questions.

Rezoning Items:

Brierwood PUD - potential rezoning for multi-family (applicant requesting C-1 to PUD). The applicant met with the Code Review committee and received input, they are now returning to the Code Review committee to receive a recommendation on entertaining the rezoning request.

Site to the east of the old Wal-Mart building request for a rezoning from C-1 to R-3 for multi-family housing. Awaiting information from the applicant- process not started. They will return to the Code Review committee later this month.

#### Planning Board Meetings:

The Planning Board held their last meeting on 9/2/20. The next meeting will be held on 9/16/20 and agenda items include; a site plan for a car wash on Camp road, a trailer sales facility at the old Perkins restaurant site on McKinley (received a use variance), the Wetzl approved subdivision at McKinley and Boston State road to get a waiver on sidewalks, a cluster subdivision on Parker road, and a Dollar General on Southwestern.

Based on the Planning Board's issuance of a SEQR Positive Declaration last year on the AL asphalt plant project, the applicant has submitted a "Draft Scoping Document" dated March 6, 2020. The Planning Board, to meet the deadline of issuing a Final Scoping document, held a special meeting on 4/29/20 to finalize the document. The Final Scope was issued and it has been filed and noticed in accordance with the SEQR law (copy available on the Town's website). We now await the applicant's submittal of a Draft EIS.

#### Code review committee

- The committee will be meeting on 9/23/20, and the Agenda includes; the Brierwood area rezoning (C-1 to R-3), property to the east of the old Wal-Mart site (C-1 to R-3 for multi-family), the zoning of the un-zoned property at the Camp road interchange, and the McKinley Mall zoning, and other zoning items if needed.
- I met with the Town Board on 8/2/20 to review outstanding Code issues and to get direction on the prioritization of Code Review committee items for 2020. As a result of that meeting, a meeting is being scheduled to discuss the Conservation Area section of the Code.
- It is also my understanding that the Planning Board is working on a "mixed use zoning district".

#### Resolutions/Actions/Public Hearings:

JSEK Hamburg, LLC - Requesting a rezoning of a portion of 4535 Southwestern Boulevard from C-1 to C-2 in order to construct a car wash facility is on the tonight's agenda. A resolution has been pre-filed, based on Town Board direction, to deny the rezoning application.

#### Other Planning Department activities:

We continue to work with the Comprehensive Plan Committee in preparing for the completion of an update to the Comprehensive Plan. Thank you for choosing Wendel to complete this important project.

We are preparing for the upcoming Code Review committee by preparing maps and recommendations on the Camp road interchange property and the McKinley Mall site.

Ted Casey, Highway Superintendent – Update: Orchard Park owns the back half of Brunner and town owns the front. OP has broken ground and should be done by November. Piggy back on the work being done for OP? Will be doing a “mill and fill” and avoid set up costs with contractor.

Dolphin Sidewalk Project – 135 linear feet of sidewalk - Mr. Casey stated he does not have the resources to get the job done at this time.

Town-wide garbage pick-up briefly discussed.

## AGENDA ITEMS

Item # 6 – Vacation Carry Over – Supervisor Shaw read from the Blue Collar collective bargaining agreement stating that the department head may, at their discretion, approve vacation time carry over.

Item #8 – Developer asked to withdraw resolution.

Item #9 – Remove the south ditch cleaning...being done by highway

Item #10 – Table

Item #11 – Councilman Connolly asked about the Stone Garden line. Ms. Tarczynski explained that it is money reimbursed by the county for Police Over-Time.

Item #12 – Amend to remove last line

Item #14 – Multiple SEQR reviews for bonds

(Supervisor Shaw divided the Bond Resolutions up to be read by councilmembers as they volunteered to do so)

Additional Dollars for Highway bonding?

Councilman Petrie asked for the Board’s opinion on the presentation from Mr. Casey regarding adding additional dollars to be bonded for roadwork and paving. A discussion amongst the Board took place about the pros and cons of increasing the amount for paving.

Councilman Petrie stated that the request has its merits.

Councilwoman Hoak expressed reservations about adding such a significant sum of money with such little time to discuss doing so.

Councilman Connolly was similarly uncomfortable in allocating over \$6 million via bonds. He stated that the work was too similar to operating and maintenance rather than a capital expense. Councilwoman Farrell responded that she would take the concerns to the Highway Committee although she did say that Mr. Casey has not wanted to avail himself of their suggestions. She also pointed out that the Committee is responsible for advising the Town Board.

Councilman Petrie respectfully disagreed about the contention that the work is not a capital expense and added that the roads were collectively in need of a great deal of work. He added that the Highway budget would still contain enough money to pay down the debt and perform the operation and maintenance needed on the roads each year.

Councilman Connolly stated he felt that there has not been enough time to consider the proposal to spend \$6 million with only three – four days of time especially compared to the amount of time, effort, and work in the other projects vetted and moving forward.

Supervisor Shaw pointed out that the LED project took over two years to come to full fruition. He continued that the Police and Dispatch proposal also has great merit, but that is being “put on the back burner.”

Mr. Rooth pointed out that the proposal is a remarkable change in how the highway department does business, pave roads that aren't in need, and switch from repair to maintenance. He added that no other city, town or village operates in this manner.

Supervisor Shaw reminded the Board that the town may have a 20% decrease in CHIPS funding from the state this year and possibly years to come.

Mr. Casey stated that paving using bonds is common practice. He also stated that there will be a 20% reduction from the state. He added that the town needs to get into the maintenance business instead of reconstruction at significantly higher dollars.

The Town Board moved directly from the work session into the Town Board meeting at 7 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.**

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