

Hamburg Town Board Work Session

Catherine A. Rybczynski, Town Clerk

2-1-2021

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; Walter Rooth III, Town Attorney; Jen Robertson, IT Director; Sean Crotty, Sr. Public Safety Dispatcher & Emergency Manager; Sarah desJardins, Planning Consultant; Camie Jarrell, Town Engineer

NOTE: The Hamburg Town Board Meeting was conducted in accordance with New York State Executive Order 202 issued on March 7, 2020 and titled "Continuing Temporary Suspension of Laws relating to the Disaster Emergency." This order was extended on December 11, 2020 until January 10, 2021. The following is the excerpt pertaining to meetings of public bodies and read as follows:

"Suspension of law allowing the attendance of meetings telephonically or other similar service:

Article 7 of the Public Officers Law, to the extent necessary to permit any public body to meet and take such actions authorized by the law without permitting in public in-person access to meetings and authorizing such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed;"

1.

RESOLVED, that the Town Board opens the Work Session at 5:33 P.M.

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

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

Supervisor Shaw stated that he had some issues that were not on the agenda that needed to be discussed. He began by giving a brief history and synopsis of the situation relative to the clock tower located next to the Hoak's On the Lake Restaurant parking lot. Supervisor Shaw then enumerated some short-term and long-term options and suggested an RFP be put together. Supervisor Shaw then turned the floor over to Sean Crotty to discuss the funding mechanisms, FEMA, Department of Environmental Conservation (DEC), Army Corp of Engineers (ACE), and additional components of the project. Mr. Crotty also spoke about the possibility of additional mitigating measures that may be put in place to reduce future damage, erosion, etc.

Councilman Shawn Connolly asked if work could be performed if an RFP was issued or

would sign off be necessary from the DEC and ACE. Supervisor Shaw confirmed that DEC and ACE must first sign off on work.

Supervisor Shaw stated that he felt that getting responses to an RFP would be the most responsible path considering the use of taxpayer dollars.

Camie Jarrell suggested that any RFP require full permitting and design. The town already asked for the permit from the DEC and ACE and were approved by DEC, but ACE did not respond in time to do repairs before the situation became worse.

Councilman Connolly asked if it was time to have the town attorney reach out to ACE to impress upon them the magnitude of the health and safety risk the condition of the parking lot now poses. Supervisor Shaw agreed that some pressure, whether from our representatives in Congress, the town attorney, or others, be applied to ACE.

Supervisor Shaw transitioned the meeting to allow Councilwoman Farrell to discuss the intersection at McKinley Pkwy and Clark Street. A town study has been done and the town is working with the county to address various issues. Unfortunately, the COVID pandemic put funding on hold. Councilwoman Farrell said that a basic project is in mind with two (2) options to build upon. She continued that a decision would have to be made to begin work and then fold the project into future work funded by a TAP Grant. The basic option deals with the intersection and traffic signal. The next with the lanes and additional striping and the other option has some additional add ons.

Councilwoman Farrell asked Camie Jarrell for her comments on the options and associated costs. She explained that the study done last year dealt with difficulty making left turns because the lanes do not matchup as well as they should. Base recommendations were to add arrows and dedicated left turning lanes. No record exists on the poles currently holding the lights creating a problem. The poles would need to be replaced to accommodate the additional weight of the lights. Design work would be \$15,000 and construction is estimated to be at \$88,000 for a total of \$103,000.

Supervisor Shaw asked if the work described would be covered by the TAP grant. Councilwoman Farrell stated that it is a possibility, but there is no way to know what the time frame would be and it would certainly add time.

Councilman Petrie asked if the poles as they currently stand were presenting a safety issue. The answer from Ms. Jarrell was "no."

Ms. Jarrell continued her comments by presenting additional options to augment the project to improve traffic flow with added striping, stop bar and arrows.

Supervisor Shaw asked for the original study cost. Councilwoman Farrell replied, \$13K.

Supervisor Shaw said requests have made to reduce speeds in the area by residents.

Ms. Jarrell stated that the last option looked at pedestrian safety and would extend two sidewalks and add handicap accessible ramps at the street.

Total of all options would be \$22K in design, \$148K in construction, for a total of \$170K.

Councilman Connolly stated that he has been aware of efforts to change the intersection by residents and community groups for years. He added that the first two (2) options were great, but had questions about the third (3rd) pedestrian option. He stated that the plan lacks safety consideration for those in the Armor side of the intersection toward the village.

Councilwoman Farrell explained that the changes Councilman Connolly mentioned would be incorporated in the next “multi-modal” phase.

Councilwoman Hoak asked about other funding sources, such as the GBNRTC.

Councilwoman Farrell stated that Mark Malewski, Grant Writer for the town, was looking.

Councilwoman Farrell stated that the effort continues to change the speed limit on Amsdell Road in front of Frontier Middle School. Amsdell is a county road and discussions have been taking place with county officials and the acting superintendent of Frontier Schools.

Supervisor Shaw asked Mr. Rooth about the 1968 law for a 15 mph zone. He replied it may very well still be viable, but the county will have to be conferred with on it.

Supervisor Shaw opened discussion regarding the Regular Town Board meeting to follow. Supervisor Shaw gave an outline and brief discussion of the items on the agenda. Items discussed at greater length are as follows:

Item #13 – Appointment – Sr. Personnel Clerk – A discussion took place regarding the qualifications and timing of hiring for the position.

Item #14 – Demo – 3649 Lake Street – Councilman Petrie spoke in favor of demolition and is very familiar with the property as well as having recently visited the location with Roger Gibson, Chief Code Enforcement Officer, and he agrees that the house needs to come down.

Many complaints have been logged from neighbors regarding the property as well as damage being done to neighboring houses by falling debris.

Item #19 – Authorization of RFP for Clock Tower Repairs – discussed at the start of the meeting.

Item #20 – Conservation Easement Denial/Lakecrest – Owners (Bonczar) contacted Supervisor Shaw and claimed the Planning Board did not consider their arguments. Supervisor Shaw visited the property and spoke with the owners regarding their desire to add a garage to their property that would encroach upon a conservation easement.

Councilman Petrie also visited the property and observed that the owners currently have a shed, however, Roger Gibson, Chief Code Enforcement Officer, stated it was put up without a permit. Councilman Petrie contended that if the property line is determined the garage may be able to be placed in the area now occupied by the shed. However, before any further action takes place the issue of the shed having been placed without a permit, its location relative to the property line, etc. need to be addressed and satisfied.

Sarah desJardins informed the Board that the Planning Board did consider all of the information offered to them by the property owners. She added that it was the opinion of the Planning Board, Camie Jarrell, and herself that granting any permission to encroach upon a conservation easement would create a “slippery slope” and would also create doubt as to whether or not conservation easements will be honored or if going forward consideration to allow construction upon land designated as conservation area.

Supervisor Shaw asked to speak with the owners who encountered technical difficulties. The decision was made to address the issue during the regular meeting. Supervisor Shaw stated that he believed the Board would be in favor of tabling the item to allow for the aforementioned issues to be worked through.

Old Police Station -Councilman Petrie asked if IT might be interested in moving their office to the Old Police Station now that the Chamber of Commerce is no longer interested. It was stated that the RFP for design has been issued and is due on 2.19.2021. Councilman Petrie mentioned that a walk through would take place 2.11.2021 at 3 PM and the change could be communicated to the prospective bidders. Councilwoman Farrell asked if changes could still be made because the question of who will be in the office space has yet to be determined. The time for the walk through will be changed to 4 PM to accommodate Councilwoman Farrell’s schedule and allow her to attend.

The Work Session was brought to a close at 6:55 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 Deputy Town Clerk is affixed below. The original official paper minutes are stored in the Town’s vault.

Catherine A. Rybczynski, RMC
Town Clerk