



WORK SESSION AGENDA
February 16, 2016

5:30 p.m. Wayne Whittaker re: Comprehensive Plan

MAYOR'S REPORT

SPECIAL PROJECT COORDINATOR PAUL BECKER

CODE ENFORCEMENT – KURT ALLEN/JEFF ADRIAN

VILLAGE ADMINISTRATOR WITKOWSKI

- A) Executive – sale of property, personnel

DEPUTY MAYOR TALLMAN

- A) ARC
- B) Planning

TRUSTEE GAUGHAN

- A) Beautification
- B) Recreation
- C) Hamburg Holidays

TRUSTEE HACKATHORN

- A) Justice
- B) Historic Preservation
- C) Economic Development

TRUSTEE COLMERAUER

- A) Environmental Conservation Commission

VILLAGE ATTORNEY MURPHY

POLICE CHIEF GLEASON

PUBLIC WORKS SUPERINTENDENT SHUTTLEWORTH

- A) Updates

RECREATION SUPERVISOR HAEICK

FIRE DEPARTMENT, CHIEF STERNER

VILLAGE OF HAMBURG

Vision: *The Most Desirable Community in
Western New York Where Quality of Life,
Affordability and Innovation is the Norm.*

Mission: *Village Representatives and Employees that
care for the Community by efficiently providing
services while preparing for the future.*

GUIDELINES FOR PUBLIC EXPRESSION: (HAMBURG VILLAGE BOARD POLICY ESTABLISHED 4/19/99)

1) The public shall be allowed to speak only during the Public Expression periods of the meeting or at such other times as a majority of the Board shall allow. 2) Speakers must give their name, address and organization, if any. 3) Speakers must be recognized by the presiding officer. 4) Speakers must limit remarks to three (3) minutes per person and a maximum of twelve (12) minutes regarding each subject matter. 5) Speakers may not yield any remaining time they may have to another speaker. 6) All remarks shall be addressed to the Board as a body and not to any member thereof. 7) Speakers shall observe the commonly accepted rules of courtesy, decorum, dignity and good taste. Unacceptable behavior will not be tolerated and might result in removal from the building. 8) Interested parties or their representatives may address the Board by written communication.

MEETING AGENDA FEBRUARY 16, 2016

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. APPROVE THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES FROM MONDAY, FEBRUARY 1, 2016
4. CHARACTER COUNCIL OF HAMBURG, INC.: The virtue for February is Deference. Deference is limiting my freedom so that I do not offend the tastes of those around me.
5. PUBLIC EXPRESSION – See signup sheet
6. CORRESPONDENCE
 - A) Clerk-Treasurer's Dept. re: Monthly Report for January 2016
 - B) Doug Hutter, 34 Woodview Avenue re: resignation from the Architectural Review and Comprehensive Plan Zoning Review Committees.
 - C) Joseph Fiegl, Erie County Dept. of Environment and Planning re: Reappointment of Donald Witkowski to the Erie County Sewer District #3 Board of Managers
All correspondence is received, reviewed and filed
7. TRUSTEE REPORTS
8. STAFF REPORTS
9. FURTHER PUBLIC EXPRESSION: Relating only to matters discussed during the meeting
10. MAYOR'S REPORT
11. CLOSE MEETING – Announcement of future meetings

MOTIONS
REGULAR BOARD MEETING

1. **MOTION** Trustee Colmerauer, seconded by Trustee _____, to approve the minutes of the Regular Meeting of the Board of Trustees held on Monday, February 1, 2016.

AYES:

NAYS:

2. **MOTION** by Trustee Colmerauer, seconded by Trustee _____, to appoint Stephen M. Ruszczyk, 68 Beverly Place, Hamburg, NY to the Architectural Review Committee, effective immediately.

AYES:

NAYS:

3. **MOTION** by Trustee Colmerauer, seconded by Trustee _____, to appoint Kenneth F. Martin III, 85 Raymond Street, Hamburg, NY to the Planning Commission, filling the unexpired term of Brian Bogner.

AYES:

NAYS:

4. **MOTION** by Trustee Hackathorn, seconded by Trustee _____, to add to the Village's Policies as Adopted by the Hamburg Board of Trustees by establishing the Village's Policy and Procedure for Determining an Employee's Health Plan Eligibility under the Federal Patient Protection and Affordable Care Act as follows:

**HEALTH PLAN ELIGIBILITY POLICY AND PROCEDURE UNDER
THE FEDERAL PATIENT PROTECTION AND AFFORDABLE CARE
ACT**

PURPOSE

This policy and procedure was created in response to the regulations mandated by the new federal Patient Protection and Affordable Care Act and is intended to determine an employee's eligibility to participate in the Village of Hamburg Employee Benefit Plan in compliance with the Act.

This policy will not affect the Village's procedures for conducting annual open enrollment events for the Health Plans offered by the Village.

DEFINITIONS

Eligibility – Determined by the average number of paid hours an employee works. All Employees who are paid an average of 30 hours of work or more per week over a 12 month period are eligible to participate in the Village Health Plan. This does not include Employees hired for seasonal or temporary work.

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Employer – Village of Hamburg

Health Care Full Time – (HCFT) Employees who are reasonably expected to be paid for 30 hours of work or more per week on a continuous basis, or who were expected to be part time, seasonal or temporary Employees, but during the Measurement Period, were later determined to be Eligible for the Health Plan.

Health Care Part Time – (HCPT) Employees who are reasonably expected to be paid fewer than 30 hours of work on average per week.

Health Plan – The Hospital/Medical Benefit Plan provided to Employees by the Village of Hamburg (excludes vision, dental and hearing coverages).

Initial Administrative Period – Length of time allowed for processing the eligibility paperwork and getting the new Employee enrolled in the Health Plan. This is a 30 day period that begins from the end of the Initial Measurement Period.

Initial Measurement Period – Length of time allowed to evaluate a new Employee's hours to determine their eligibility for enrollment in the Health Plan. This is a 12 month period that begins from the Employee's start date with the Village.

Initial Stability Period – Length of time new Employees are enrolled in the Health Plan after it is initially determined they qualify for eligibility for enrollment in the Health Plan. This is a 12 month period that begins from the end of the Initial Administrative Period.

Standard Administrative Period – Length of time allowed for processing the eligibility paperwork and getting the existing Employee enrolled in the Health Plan. This period will run from the end of the Standard Measurement Period (June 1) thru June 30. This is an annual time frame and will occur every year.

Standard Measurement Period – Length of time allowed to evaluate an existing Employee's hours of paid work to determine their eligibility for enrollment in the Health Plan. This time period will run from June 1st through the next year to May 31th (12 months). This is an annual time frame and will occur every year.

Standard Stability Period – Length of time existing Employees are enrolled in the Health Plan after it is determined they qualify for eligibility for enrollment in the Health Plan. This period will run for 12 months from July 1 through the next year to June 30. This is an annual time frame and will occur every year.

Temporary/Seasonal Employee – This is an Employee who, at the time of hire, has a pre-determined end of employment date and the total time in employment will not exceed 120 days.

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IMPLEMENTATION

In implementing this policy and procedure, the Village will make an initial determination for all Existing Employees and New Employees as to their eligibility for participation in the Health Plan by identifying if the Employee will be paid an average of 30 hours of work or more on a regular basis.

If the Village believes the Employee will be paid for 30 hours of work or more on average over a 12 month period, the Village will offer the Employee an opportunity to: 1.) sign up for available Health Plan; or 2.) waive enrollment and coverage. Employees in this group will be referred to as Health Care Full Time (HCFT).

If the Village believes the Employee will be paid for less than 30 hours of work per week on average, the Village will implement a Measurement Period to determine if the Employee is, or is not, eligible to participate in the Village's Health Plan. Employees in this group will be referred to as Health Care part Time (HCPT). All HCPT Employees will be subject to a 12 month Measurement Period.

- If the Employee is determined to be paid an average of 30 hours of work per week during their Measurement Period, the Village will offer the Employee the option to: 1.) sign up for available Health Plan; or 2.) waive enrollment and coverage. The Employee will remain eligible to be on the plan for 12 months which is the Stability Period. The Village reserves the right to opt for any IRS Transitional Relief available to the Village pertaining to this situation.
- If the Employee is determined to be paid fewer than 30 hours of work on average during this Measurement Period the Village will not offer the Employee the option to enroll in the Village Health Plan.

For the purpose of initiating this policy, Employees are divided into two groups: Employees hired as of June 1, 2014 and Employees hired after June 1, 2014.

For Employees hired as of June 1, 2014 the Initial time periods shall be as follows:

Initial Measurement Period	6/1/14 – 5/31/15
Initial Administrative Period	6/1/15 – 6/30/15
Initial Stability Period	7/1/15 – 6/30/16

All Existing Employees will have a Standard Measurement Period and Standard Administrative Period annually and if they qualify for eligibility to participate in the Health Plan, will be subject to the Standard Stability Period for the following year.

This Policy and Procedure does not require Existing HCFT Employees to re-enroll in order to maintain their existing Health Plan with the Village. The Village will continue its practice of providing an open enrollment period at which time HCFT Employees will be given the opportunity to switch coverages based on the options provided by the Village.

For Employees hired after June 1, 2014 the Initial time periods shall be as follows:

Initial Measurement Period	From date of hire – To 12 months from date of hire
Initial Administrative Period	From expiration of Initial Measurement Period – To -

30 days from expiration of Initial Measurement Period

Initial Stability Period	From end of Initial Administrative Period – To 12 -
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months from end of Initial Administrative Period

All New Employees who are classified as HCFT and are eligible for and elect to join the Health Plan, will be enrolled in the Health Plan for the Initial Stability Period.

- If it is determined that the Employee is still HCFT at the end of the Initial Stability Period, the Employee will be eligible to stay on the Health Plan until the end of the Village's fiscal year (May 31). From that point forward, they will follow the Standard Measurement Period, Standard Administrative Period and Standard Stability Period.

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- If it is determined the New Employee is no longer eligible and is reclassified as HCPT, the Employee will remain on the Health Plan only until the end of the Initial Stability Period. From that point forward, the Employee will be subject to the Standard Measurement, Administrative and Stability Periods.

5. **MOTION** by Trustee Hackathorn seconded by Trustee _____, to authorize Mayor Thomas J. Moses, Sr. to sign the *Letter of Agreement* with the NYS Department of State for Legislative Member Item (Assemblyman Sean Ryan) grant funds in the amount of \$15,000. The money will be used to repair and replace aged and unsafe perimeter, backstop and winged fencing at Legion Field and Glen Meadows Park in the Village of Hamburg.

AYES:

NAYS:

6. **MOTION** by Deputy Mayor Tallman, seconded by Trustee _____, to recommend the Village Board approve Site Plan Application #2016-00103, for Change of Use at 61 Buffalo St, CBD. This is the site of the *Buffalo Street Grill* and the plan is to change the second floor use from residential to commercial to accommodate a new dining/bar area with restrooms and office space, as requested by owner, Richard Blose. The lighting as proposed is deemed to be adequate. A 9' x 31'. deck is proposed in the alleyway between the two buildings at 61 and 55 Buffalo Street. Grip tape will be added to the stairway of the deck for safety. Said Site Plan having been reviewed by the Planning Commission at their meeting of February 9, 2016, and the Planning Commission having made a recommendation in writing to this Board that said Site Plan be approved, and this Board having reviewed said Site Plan, the Board of Trustees hereby: **APPROVES**: Site Plan Application #2016-00103 for 61 Buffalo Street, (*Buffalo Street Grill*), as recommended above by the Planning Commission.

AYES:

NAYS:

7. **MOTION** by Deputy Mayor Tallman, seconded by Trustee _____, to recommend the Village Board approve Site Plan Application #2016-00106, for Change of Use at 264 Union Street, C2. The plan is to change the commercial use on the Lake Street side into two residential units, as requested by owner, Costa Kalonaros. A garage will be demolished and 10 parking spaces will be provided. This was deemed to be adequate, taking into consideration the constraints of the property. Additional lighting will be added to the parking area. Said Site Plan having been reviewed by the Planning Commission at their meeting of February 9, 2016, and the Planning Commission having made a recommendation in writing to this Board that said Site Plan be approved, and this Board having reviewed said Site Plan, the Board of Trustees hereby: **APPROVES**: Site Plan Application #2016-00106 for 264 Union Street, as recommended above by the Planning Commission.

AYES:

NAYS:

MOTIONS
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8. **MOTION** by Deputy Mayor Tallman, seconded by Trustee _____, to recommend that the Village Board approve the Application for Certificate of Compliance for building design standards submitted by Costa Kalonaros, *Hamburg Property Solutions*, 264 Union Street, for exterior renovations that will include removal of the current siding and replacing with Hardieboard if the underlying wood is not in good shape. The second floor windows, including those at the peak, will be replaced with Pella Pro-line metal clad wood windows with clear glass. Proposed colors are darker blue with taupe trim for the siding and the windows will either be white or match the siding if color available. The applicant will need to submit the colors and materials for the file. Said application having been reviewed by the Architectural Review Committee (ARC) at their meeting of February 9, 2016, and the Architectural Review Committee having made a recommendation to this Board that said application be approved, and this Board having reviewed said application, the Board of Trustees hereby **APPROVES**: the Application for Certificate of Compliance for building design standards submitted by Costa Kalonaros, 264 Union Street, for siding and windows as recommended above by the Architectural Review Committee.

AYES:

NAYS:

9. **MOTION** by Deputy Mayor Tallman, seconded by Trustee _____, to recommend that the Village Board approve the Application for Certificate of Compliance for building design standards submitted by Katie Wentland, *Spot Coffee*, 12 Main Street, for a 6'1" x 69' stamped concrete patio on the east side of the building, starting at the sidewalk and running the length of the building. Access to the patio will be from the front or rear doors. The applicant has not yet decided on installing a canopy or using table umbrellas. No advertising would be allowed on the umbrellas. The applicant will need to submit the color and final pattern of the stamped concrete for the file. Said application having been reviewed by the Architectural Review Committee (ARC) at their meeting of February 9, 2016, and the Architectural Review Committee having made a recommendation to this Board that said application be approved, and this Board having reviewed said application, the Board of Trustees hereby **APPROVES**: the Application for Certificate of Compliance for building design standards submitted by Katie Wentland, (*Spot Coffee*), 12 Main Street, for a stamped concrete patio as recommended above by the Architectural Review Committee.

AYES:

NAYS:

10. **MOTION** by Deputy Mayor Tallman, seconded by Trustee _____, to recommend that the Village Board approve the Application for Certificate of Compliance for building design standards submitted by Rich Blose, *Buffalo Street Grill*, 61 Buffalo Street, for renovations and modifications that include a 9' x 31' outdoor deck with LED lights along the outside staircase and under the deck, a new wooden front door, an additional door for server access to the patio and a clear glass door with aluminum frame on the Union Street side to be used as emergency exit; downlit lighting over doorways; a winter awning will be added over the existing permanent awning in winter and removed in the spring; the decorative arch will be raised along the top entry area to the courtyard with a proposed decorative gate at the entrance below; wrought iron grills will be added to the second floor windows facing the courtyard. Applicant will submit colors and materials for the file. Said application having been reviewed by the Architectural Review Committee (ARC) at their meeting of February 9, 2016, and the Architectural Review Committee having made a recommendation to this Board that said

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application be approved, and this Board having reviewed said application, the Board of Trustees hereby **APPROVES**: the Application for Certificate of Compliance for building design standards submitted by Rich Blose, (*Buffalo Street Grill*), 61 Buffalo Street, for a deck, doors, lighting and a gate as recommended above by the Architectural Review Committee.

AYES:

NAYS:

11. **MOTION** by Trustee Hackathorn, seconded by Trustee _____, that the Village Recreation Commission recommends that the Board approve the salary for the following Recreation Attendant Part Time, effective immediately.

Youth Center Custodian

David Haeick	\$10.50/hr
214 Maple Avenue	

AYES:

NAYS: