



WORK SESSION AGENDA

March 21, 2016

MAYOR'S REPORT

SPECIAL PROJECT COORDINATOR PAUL BECKER

CODE ENFORCEMENT – KURT ALLEN/JEFF ADRIAN

VILLAGE ADMINISTRATOR WITKOWSKI

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 CAPTAIN MICHAEL MELISZ

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 MARCH 21, 2016

1. **PLEDGE OF ALLEGIANCE**
2. **ROLL CALL**
3. **APPROVE THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES FROM MONDAY, MARCH 7, 2016**
4. **CHARACTER COUNCIL OF HAMBURG, INC.:** The virtue for March is Compassion. Compassion is investing whatever is necessary to heal the hurts of others.
5. **PUBLIC EXPRESSION** – See signup sheet
6. **CORRESPONDENCE**
 - A) Clerk-Treasurer's Dept. re: Monthly Report for February 2016
 - B) Dept. of Justice re: Monthly Report for January 2016
 - C) Joseph Gunning, Oktoberfest Committee re: Request for Use of Memorial Park for the *Hamburg Oktoberfest*
 - D) Kathy Heavern, Imagine: Hamburg re: Music in the Peace Park during Farmer's Market
 - E) Erie County Water Authority re: Direct Service Agreement

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** by Trustee Colmerauer, seconded by Trustee _____, to approve the minutes of the Regular Meeting of the Board of Trustees held on Monday, March 7, 2016.

AYES:

NAYS:

2. **MOTION** by Trustee Colmerauer, seconded by Trustee _____, to increase the budget of A.3989.0402 Disaster Other Expense in the amount of \$5,000 from fund balance. This money was reimbursed by FEMA and is to be used to clean the drainage ditch from Lenora Drive to Smith Road.

AYES:

NAYS:

3. **MOTION** by Trustee Colmerauer, seconded by Trustee _____, to adopt the Budget for the Fiscal Year June 1, 2016 through May 31, 2017. The General Fund Tax Rate for the Village of Hamburg is set at \$20.42 per thousand of assessed value. The Capital Improvement Program will expend \$680,205 in the 2016-2017 fiscal year.

AYES:

NAYS:

4. **MOTION** by Trustee Colmerauer, seconded by Trustee _____, to waive the parking prohibition provisions of Section 229-21 of the Code of the Village of Hamburg specified in Schedule XVII of 229-52 effective March 21, 2016 to April 1, 2016, thereby allowing parking of vehicles on Village streets from 1:00 a.m. to 6:00 a.m. ten days early due to projected good weather.

AYES:

NAYS:

5. **MOTION** by Trustee Colmerauer, seconded by Trustee _____,

WHEREAS, the Hamburg Volunteer Fire Department has made a request to the Village of Hamburg to sell the 2005 Ford Ambulance for a nominal consideration:

The Board having determined as follows:

That said 2005 Ford Ambulance was originally purchased by the Hamburg Volunteer Fire Department and donated to the Village of Hamburg;

The Village of Hamburg pursuant to Chapter 889 of the Laws of the State of New York 1969 hereby sells and delivers to the Hamburg Volunteer fire Department, Inc. said 2005 Ambulance for a nominal consideration.

AYES:

NAYS:

**MOTIONS
REGULAR BOARD MEETING**

6. **MOTION** by Deputy Mayor Tallman, seconded by Trustee _____, to hire Kevin P. Sullivan as a Village of Hamburg Police Officer, effective May 2, 2016 and subject to satisfactory completion of the pre-employment physical and background check. The position of Police Officer is in the competitive class according to law, therefore this position is probationary for a period of eighteen (18) months from the effective date. The salary for this position is \$50,178.00. Said individual has been drafted from Civil Service Exam #61180, established April 11, 2014.

AYES:
NAYS:

7. **MOTION** by Deputy Mayor Tallman, seconded by Trustee _____, to accept the proposal from GHD Engineering to perform survey work pertaining to the cleaning and regrading of the Brook Channel drainage ditch in an amount not to exceed \$2,000.

AYES:
NAYS:

8. **MOTION** by Trustee Hackathorn, seconded by Trustee _____, to authorize Mayor Thomas J. Moses Sr. to sign the 2016 Fire Protection Contract between the Town of Hamburg, Village of Hamburg and the Hamburg Volunteer Fire Department, Inc.

AYES:
NAYS:

9. **MOTION** by Trustee Hackathorn, seconded by Trustee _____, to approve Local Law No. 4 of 2016 of the Code of the Village of Hamburg, Chapter 198 thereof, entitled SOLID WASTE, to amend Section §198-7 *Purpose; effective date* by adding a Section B allowing for a one-time user fee for garbage totes.

LOCAL LAW NO. 4 OF 2016

A LOCAL LAW TO AMEND the Code of the Village of Hamburg, Chapter 198 thereof, entitled **SOLID WASTE**, amending Section §198-7 by adding a Section B.

Be it enacted by the Board of Trustees of the Village of Hamburg as follows:

SECTION 1.

Chapter 198 SOLID WASTE of the Code of the Village of Hamburg is hereby amended by adding the following:

§ 198-7B. Purpose; effective date.

Effective March 1, 2016, all improved real property located in the Village of Hamburg, and which receives solid waste and/or recyclable collection service from the Village of Hamburg shall be assessed a one-time user fee on the 2017-2018 Village Tax bill to cover the cost of a garbage tote(s) and/or a recycling container(s) as required by this Code. The cost of said user fee shall be equal to the amount charged by the third-party private contractor utilized by the Village for the purchase of garbage totes and recycling containers in the Village of Hamburg and shall be charged and levied upon such lot or land and

**MOTIONS
REGULAR BOARD MEETING**

shall bear interest at the same rate as taxes and shall be collected and enforced by the same officers in the same manner as taxes. In the event that replacement totes and/or containers are required, they shall be purchased directly through the Village of Hamburg at a cost to be determined by the Village of Hamburg.

SECTION 2.

Effective Date. This local law shall take effect upon filing and acceptance by the New York Secretary of State.

AYES:

NAYS:

10. **MOTION** by Trustee Hackathorn, seconded by Trustee _____, that Ronald Mohn, having been appointed to the position of Truck Driver in the Department of Public Works, on September 30, 2015, and such appointment having been for a probationary term of six (6) months expiring March 30, 2016, and Ronald Mohn having completed such probationary term in a satisfactory manner:

Ronald Mohn is hereby accorded permanent status in the position of Truck Driver, effective March 30, 2016.

AYES:

NAYS:

11. **MOTION** by Trustee Hackathorn, seconded by Trustee _____, that John Najeski, having been appointed to the position of Laborer - Refuse Collector in the Department of Public Works on September 30, 2015, and such appointment having been for a probationary term of six (6) months expiring March 30, 2016, and John Najeski having completed such probationary term in a satisfactory manner:

John Najeski is hereby accorded permanent status in the position of Laborer – Refuse Collector, effective March 30, 2016.

AYES:

NAYS:

12. **MOTION** by Trustee Gaughan, seconded by Trustee _____, to approve the use of Memorial Park for the *12th Annual Garden Walk*, Saturday, July 9 and Sunday, July 10, 2016 from 10:00 a.m. to 4:00 p.m.

AYES:

NAYS:

13. **MOTION** by Trustee Gaughan, seconded by Trustee _____, to approve the use of Memorial Park for the annual *Movie in the Park* Thursday, July 21, 2016 from 7:30 p.m. to 10:30 pm., with a rain date of Thursday, July 28, 2016.

AYES:

NAYS:

MOTIONS
REGULAR BOARD MEETING

14. **MOTION** by Trustee Gaughan, seconded by Trustee _____, to approve the request of the Hamburg Oktoberfest Committee to hold their *Oktoberfest* on Saturday, September 10, 2016 from 3-11 p.m. at Memorial Park, with setup and teardown scheduled for the day before and after the event. Approval is subject to the submission and approval of the final site plan and proof of insurance for the event.

AYES:

NAYS:

15. **MOTION** by Trustee Gaughan, seconded by Trustee _____, to approve the request by *Imagine Hamburg* to hold regularly scheduled musical performances in the Peace Park on the following Saturdays during the Farmer's Market from 9:30 a.m. - 12:00 p.m., with setup beginning at 8:30 a.m.: June 25; July 2, 9, 23 and 30; August 6, 13, 20 and 27.

AYES:

NAYS:

16. **MOTION** by Deputy Mayor Tallman, seconded by Trustee _____, to recommend the Village Board approve Site Plan Application #2016-00160, presented by Daryl Martin Daryl Martin Architect, P.C. for a kitchen expansion/addition at 4236 Clark Street, J.P. Fitzgerald's, C2. The addition will be 8' x 28', 224.5 sq. ft., and will match architecturally in color and material. Said Site Plan having been reviewed by the Planning Commission at their meeting of March 8, 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 #2016-00160 for 4236 Clark Street, (*J.P. Fitzgerald's*), as recommended above by the Planning Commission.

AYES:

NAYS:

17. **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 Daryl Martin, Daryl Martin Architect, P.C., 4236 Clark Street, (*J.P. Fitzgerald's*) for a 224.5 sq. ft. addition to the existing kitchen of the restaurant using like material and the same colors of the current building. The existing sign will be moved to the east side of the new addition at the same relative position. Said application having been reviewed by the Architectural Review Committee (ARC) at their meeting of March 15, 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 Daryl Martin for 4236 Clark Street (*J.P. Fitzgerald's*) for an addition as recommended above by the Architectural Review Committee.

AYES:

NAYS:

MOTIONS
REGULAR BOARD MEETING

18. **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 Ron Jackson, 247 Lake Street, (*Fisher Pools*) for a freestanding, double sided v-carved 48" x 84" sign located 10' from the front right-of-way and 15' from the adjacent lot. Sign is yellow and navy with red lettering. Said application having been reviewed by the Architectural Review Committee (ARC) at their meeting of March 15, 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**: Application for Certificate of Compliance for building design standards submitted by Ron Jackson, 247 Lake Street (*Fisher Pools*) for an signage as recommended above by the Architectural Review Committee.

AYES:

NAYS:

19. **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 Susan Vantine, 164 Buffalo Street, (*Vantine Real Estate*) for vinyl window lettering/signage. Said application having been reviewed by the Architectural Review Committee (ARC) at their meeting of March 15, 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 Susan Vantine, 164 Buffalo Street (*Vantine Real Estate*) for signage as recommended above by the Architectural Review Committee.

AYES:

NAYS:

20. **MOTION** by Trustee Gaughan, seconded by Trustee _____, that the Village Recreation Commission recommends that the Board approve the salaries for the following Recreation Attendant PT Seasonal for the 2015-2016 Fall/Winter Season.

AFTERSCHOOL PROGRAM

Dominic Russo	\$7.50/hr
6584 Boston State Road	

AYES:

NAYS: