



**WORK SESSION AGENDA
MAY 4, 2020**

MAYOR'S REPORT

- A) Blood Drive

SPECIAL PROJECT COORDINATOR PAUL BECKER

CODE ENFORCEMENT – JOE BONCORE

FIRE DEPARTMENT – CHIEF DAHLGREN

VILLAGE ADMINISTRATOR COZZA

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 DIPASQUALE

- A) Environmental Conservation

VILLAGE ATTORNEY MURPHY

POLICE CHIEF MICHAEL MELISZ

PUBLIC WORKS SUPERINTENDENT

- A) Updates

RECREATION SUPERVISOR HAEICK

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 MAY 4, 2020

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. APPROVE THE MINUTES OF THE REGULAR MEETING HELD ON APRIL 20, 2020
4. CHARACTER COUNCIL OF HAMBURG, INC.: The virtue for May is Determination. Determination is staying focused and overcoming challenges to finish a goal, task or objective.
5. PUBLIC EXPRESSION – See signup sheet
6. CORRESPONDENCE
 - A) Frank Cirillo, NYS Dept. of Transportation re: Shared Facilities Task Force
 - B) Joshua Haeick, Recreation Supervisor re: Request by Village of Hamburg Parks & Recreation Dept. and the Hamburg Junior Baseball & Softball League (HJBSL), to recognize and pay tribute to Edwin “Stui” Stuhlmiller for his many contributions, both volunteer and financial, over the course of almost 6 decades.
7. TRUSTEE MOTIONS
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

Special COVID-19 Meeting Message:

In accordance with New York State Executive Order No. 202.1 and existing New York State Open Meetings Laws, this meeting will occur on video conference via Zoom. For videoconference login information please contact (716) 208-9926. Public expression will be accepted via email until 5:00 p.m. Please forward your public expression to mayor@villagehamburg.com.

**MOTIONS
REGULAR MEETING**

1. **MOTION** by Trustee DiPasquale, seconded by Trustee _____, to approve the minutes of the Regular Meeting of the Board of Trustees held on Monday, April 20, 2020.

AYES:
NAYS:

2. **MOTION** by Trustee DiPasquale, seconded by Trustee _____, to appoint Bonnie Meyer, 131 Huntington Court, to the Environmental Conservation Commission, for a term to expire April 3, 2021.

AYES:
NAYS:

3. **MOTION** by Trustee Gaughan, seconded by Trustee _____, to cancel the remainder of the Recreation Department's *After School Program* and to reimburse program fees, on a prorated basis, since the program was suspended on March 16, 2020 due to the extraordinary circumstances brought on by the COVID-19 health crisis and the New York State Pause restrictions.

AYES:
NAYS:

4. **MOTION** by Trustee Gaughan, seconded by Trustee _____, to approve naming Legion Field Diamond B in honor of Eddie Stuhlmiller in recognition of his decades of coaching, volunteering, and financially supporting the Hamburg Junior Baseball and Softball League.

AYES:
NAYS:

5. **MOTION** by Trustee Hackathorn, seconded by Trustee _____, to approve the following resolution to authorize the Village of Hamburg to join the Erie County Energy Aggregation - Natural Gas Cooperative.

WHEREAS, Article 5-G of the General Municipal Law authorizes municipal corporations to enter into cooperative agreements for the performance of those functions or activities in which they could engage individually; and

WHEREAS, Section 119-N of the General Municipal Law defines the term "Municipal Corporation" to mean a county outside the city of New York, a city, a town, a village, a board of cooperative education services, fire district or a school district; and

WHEREAS, it has been determined that the Village of Hamburg can save money by the joint purchasing of energy; and

WHEREAS, the Village of Hamburg has determined that it may purchase energy through the use of a marketing firm, individually, or through an energy cooperative; and

NOW THEREFORE BE IT RESOLVED that the Village Board of Trustees of the Village of Hamburg chooses to participate in the Erie County Energy Aggregation by authorizing the Mayor to

**MOTIONS
REGULAR MEETING**

execute a Natural Gas Cooperative Purchasing Agreement for said Aggregation indicating that Village of Hamburg will agree to be bound thereby.

AYES:

NAYS:

6. **MOTION** by Deputy Mayor Tallman, seconded by Trustee _____, to declare the following fixed asset as surplus and authorize the disposal of said fixed asset:

Police Dept.	Asset #2698	2016 Ford Explorer VIN# 1FM5K8AR4GGA77785
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AYES:

NAYS:

7. **MOTION** by Deputy Mayor Tallman, seconded by Trustee _____,

A BOND RESOLUTION, DATED MAY 4, 2020, OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF HAMBURG, ERIE COUNTY, NEW YORK (THE "VILLAGE"), AUTHORIZING A CAPITAL IMPROVEMENTS PROJECT AT LEGION FIELD PARK, AT AN ESTIMATED MAXIMUM COST OF \$800,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$800,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SUCH PURPOSE, SUCH AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED (OR DESIGNATED TO BE USED FOR SUCH PURPOSE), AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE VILLAGE TREASURER.

WHEREAS, the Village Board of Trustees (the "Board") of the Village of Hamburg, in the County of Erie, New York (the "Village") desires to undertake a capital improvements project consisting of various improvements to Legion Field Park; and

WHEREAS, the State of New York has awarded the Village of Hamburg two State and Municipal Facilities Program ("SAM") grants through the Dormitory Authority State of New York for a portion of the costs of such Project; and

WHEREAS, the Village of Hamburg also received community donations to pay for a portion of the costs of such Project; and

WHEREAS, the Village intends to issue obligations to pay for a portion of the costs associated with such Project;

NOW THEREFORE,

BE IT RESOLVED, by the Board (by the favorable vote of not less than two-thirds of all the members of the Board) as follows:

SECTION 1. The Village is hereby authorized to undertake a capital improvements project at the Village of Hamburg Legion Field Park including, but not limited to, field work, improvements to baseball diamonds, parking lot reconstruction, Americans with Disabilities Act-related improvements to sidewalks and curb ramps, enhanced safety measures including improvements to walkways and fencing, drainage improvements, utility work and the construction of a batting cage, as well as other such improvements as more fully identified in (or contemplated by) material prepared with the assistance of Trautman Associates and the Village Parks Recreation Department, including all preliminary work and necessary equipment, materials and site work and any preliminary costs and costs incidental thereto and in connection with the financing thereof (collectively, the "Purpose"). The estimated maximum cost of the Purpose is \$800,000.

SECTION 2. The Village Board of Trustees plans to finance the estimated maximum cost of the purpose by the issuance of serial bonds of the Village in an aggregate principal amount not to exceed \$800,000, hereby authorized to be issued therefor pursuant to the Local Finance Law, such amount to be offset by any funds or appropriations (including, but not limited to, donations allocated for such project) of the Village and any federal, state, county and/or local funds received, including, but not limited to, the application of grant funds received or expected to be received from NYS DASNY. Unless paid from other sources or charges, the cost of such purpose is to be paid by the levy and collection of taxes on all the taxable real property in the Village to pay principal of such bonds and the interest thereon as the same shall become due and payable.

SECTION 3. It is hereby determined that the purpose is an object or purpose described in subdivision 19(c) of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of the purpose is 15 years; however, the bonds issued pursuant to this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, will mature no later than five years from the date of original issuance of such bonds or notes.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of such bonds.

SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution will not exceed five years.

SECTION 6. The faith and credit of the Village are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation will be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges, there will annually be levied on all the taxable real property of the Village a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 62.10, Section 63.00, and Section 164.00 of the Local Finance Law, the powers and duties of the Village Board pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and details as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Village Treasurer,

the chief fiscal officer of the Village. Without in any way limiting the scope of the foregoing delegation of powers, the Village Treasurer, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes of the Village.

SECTION 8. The temporary use of available funds of the Village, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in Section 1 of this resolution. The Village then reasonably expects to reimburse any such expenditures (to the extent made after the date hereof or within 60 days prior to the earlier of (a) the date hereof or (b) the date of any earlier expression by the Village of its intent to reimburse such expenditures) with the proceeds of the bonds authorized by Section 2 of this resolution (or with the proceeds of any bond anticipation notes issued in anticipation of the sale of such bonds). This resolution shall constitute the declaration (or reaffirmation) of the Village's "official intent" to reimburse the expenditures authorized by Section 2 hereof with such bond or note proceeds, as required by United States Treasury Regulations Section 1.150-2.

SECTION 9. The Village Treasurer is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and may designate the bonds authorized by this resolution, and any notes issued in anticipation thereof, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3) of the Code.

SECTION 10. The Village Treasurer is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 11. The Village Treasurer is further authorized to call in and redeem any outstanding obligations that were authorized hereunder (at such times and in such amounts and maturities as may be deemed appropriate after consultation with Village officials and the Village's municipal advisor), to approve any related notice of redemption, and to take such actions and execute such documents as may be necessary to effectuate any such calls for redemption pursuant to Section 53.00 of the Local Finance Law, with the understanding that no such call for redemption will be made unless such notice of redemption shall have first been filed with the Village Clerk.

SECTION 12. The Village has complied with applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act ("SEQRA"), comprising Article 8 of the Environmental Conservation Law and, in connection therewith, duly issued a negative declaration and/or other applicable documentation, and therefore, no further action under SEQRA is necessary.

SECTION 13. In the absence or unavailability of the Village Treasurer, the Deputy Treasurer is hereby specifically authorized to exercise the powers delegated to the Village Treasurer in this resolution.

SECTION 14. The validity of such serial bonds or of any bond anticipation notes issued in anticipation of the sale of such serial bonds may be contested only if:

1. (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or

(b) the provisions of the law which should be complied with at the date of publication of this notice were not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication of this notice; or

2. such obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 15. The Village Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of such Local Finance Law, in a newspaper having a general circulation in the Village and hereby designated as the official newspaper of the Village for such publication.

SECTION 16. This Resolution is effective immediately pursuant to Section 36.00(a)(1) of the Local Finance Law.

* * * *

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

AYES:

NOES:

ABSENT:

The foregoing resolution was thereupon declared duly adopted.

8. **MOTION** by Trustee DiPasquale, seconded by Trustee _____, to authorize the payment of the Village of Hamburg Accounts for the period ending May 4, 2020.

AYES:

NAYS: