



**WORK SESSION AGENDA
APRIL 1, 2024**

MAYOR'S REPORT

CODE ENFORCEMENT – SCOTT COURTEAU

FIRE DEPARTMENT – CHIEF MOSES

COMMUNITY LIAISON – KIM BOURKE

VILLAGE ADMINISTRATOR COZZA

TRUSTEE GAUGHAN

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

TRUSTEE HACKATHORN

- A) Historic Preservation
- B) Economic Development

TRUSTEE PARK

- A) Environmental Conservation
- B) Justice Department

TRUSTEE DAVIS

- A) Planning Commission
- B) Architectural Review Committee

VILLAGE ATTORNEY MURPHY

POLICE CHIEF RICK SCHARA

PUBLIC WORKS SUPERINTENDENT SHUTTLEWORTH

- 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 APRIL 1, 2024

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL

**** ANNUAL ORGANIZATIONAL MEETING ****

3. APPROVE THE MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES HELD ON MONDAY, MARCH 18, 2024.

4. CHARACTER COUNCIL OF WNY: The virtue for April is Forgiveness. Forgiveness is clearing the record of those who have wronged me and not holding a grudge.

5. PUBLIC EXPRESSION:

6. CORRESPONDENCE:

All correspondence is received, reviewed and on file in the Clerk-Treasurer's office

7. TRUSTEE MOTIONS

8. STAFF REPORTS

9. FURTHER PUBLIC EXPRESSION

10. MAYOR'S REPORT

11. CLOSE MEETING

MOTIONS
ANNUAL ORGANIZATIONAL MEETING
APRIL 1, 2024

1. **MOTION** by Mayor Tallman, seconded by Trustee _____, to approve the following Mayoral appointments:

TERMS OF ONE (1) YEAR ENDING APRIL 7, 2025:

Village Administrator	Jason Cozza
Budget Director	Jason Cozza
Deputy Treasurer	Brian Wielinski
Deputy Clerk	Mary McKee
Deputy Mayor	Paul G. Gaughan
Village Attorney/Acting Vlg Prosecutor	Edward J. Murphy III
Acting Village Justice	Kristin Klein Wheaton
Village Prosecutor	John Ryan
Bingo Inspector	Paul Klemenich
WNY Stormwater Coalition (Rep.)	Marc Shuttleworth
WNY Stormwater Coalition (Alt. Rep.)	Jason Cozza

Economic Development Committee

Members:	Joe Gunning	Katie Mika
	Mike DiTonto	Heather Sidorowicz
	Mike Cornell	Sean Doyle
	Nancy Fredrickson	Nicole Casell
	Jamie Decker	

Association of Erie County Governments

Rep:	Village Mayor
Alt. Rep:	Deputy Mayor
Alt. Rep:	Village Administrator

WNY Stormwater Coalition

Rep.	Marc Shuttleworth	Supt. of Public Works
Alt. Rep.	Jason Cozza	Village Administrator

Zoning Board of Appeals Chairmanship:

Chairperson:	Richard J. Stumpf
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TERMS OF THREE (3) YEARS ENDING APRIL 5, 2027:

Civic Beautification Committee

Members:	Jacquelyn Emerling	Judith Weinstock
	Judy Kassman	Jeffrey Leyonmark
	Agnes Hayes	Dorothy Romanczuk
	Marg Rust	Corrine Arcangel
	Gerald Stockmeyer	Heidi Walling
	Suzanne Davis	Deborah Adams

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Environmental Conservation Commission

Members: Adrienne Punturiero
 Mike Reilly

Planning Commission

Members: Brian Liebenow Caroline Barr
 Karen Rogers

Recreation Commission

Member: Paul Peck Amber Klausen
 Martin Blind Carly Swenson-Liebenow

TERMS OF FOUR (4) YEARS, ENDING APRIL 3, 2028

Historic Preservation Commission

Members: Jim Doran
 Allan Ripley

TERMS OF FIVE (5) YEARS, ENDING APRIL 1, 2029

Zoning Board of Appeals

Member: Russell Rich

AYES:

NAYS:

2. **MOTION** by Trustee Hackathorn, seconded by Trustee _____, to designate Key Bank National Association; Manufacturers and Traders Trust Co.; RBS Citizens, NA; Evans Bank; and New York Cooperative Liquid Assets Security System (NYCLASS) as depositories of the Village of Hamburg for the official year 2024-2025.

AYES:

NAYS:

3. **MOTION** by Trustee Hackathorn, seconded by Trustee _____, that the Clerk-Treasurer be charged with the collection of Village taxes and all other charges made by the Village of Hamburg as of June 1, 2024.

AYES:

NAYS:

4. **MOTION** by Trustee Hackathorn, seconded by Trustee _____,

WHEREAS, the Internal Revenue Service has issued regulations requiring issuers of tax-exempt

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obligations to certify on various forms that they actively monitor compliance with federal tax rules following the issuance of such obligations; and

WHEREAS, the Village is a periodic issuer of tax-exempt obligations and thus is subject to the aforementioned compliance requirements which are critical for the preservation of the preferential tax status of those obligations; and

WHEREAS, on May 7, 2018, the Hamburg Village Board of Trustee adopted updated post-issuance tax compliance procedures prepared by Hodgson Russ LLP, as bond counsel to the Village.

NOW THEREFORE, BE IT RESOLVED, that the Village has reviewed their post-issuance tax compliance procedures and found that no changes are needed for 2024-2025.

AYES:

NAYS:

5. **MOTION** by Deputy Mayor Gaughan, seconded by Trustee _____, to continue the \$100,000 bonding blanket coverage for the 2024-2025 official year by identifying the following positions within the village for receipt of funds and cash:

Clerk-Treasurer's Office

Administrator/Clerk-Treasurer
Deputy Treasurer
Deputy Clerk
Secretary to Mayor
Clerks PT and PT Seasonal
Clerk-Typist PT

Police

Chief
Captain
Account Clerk Typist
Clerk-Typists PT

Department of Public Works

Superintendent
Crew Chief
Working Crew Chief
Clerk Typist
Three (3) Designated Motor Equipment Operators

Recreation

Supervisor
Recreation Leader
Recreation Attendant
Clerk PT

Court

Clerk to Village Justice
Clerk to Village Justice PT

AYES:

NAYS:

6. **MOTION** by Deputy Mayor Gaughan, seconded by Trustee _____, to designate *The Sun* as the official newspaper for the Village of Hamburg for the fiscal year 2024-2025.

AYES:

NAYS:

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ANNUAL ORGANIZATIONAL MEETING
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7. **MOTION** by Trustee Park, seconded by Trustee _____, that the Village Board of Trustees authorizes that the following payments may be made between meetings upon receipt of invoice:

- Agreements and contracts payments
- Credit card account payments
- Tax bill payments and refunds
- Health insurance payments and reimbursements
- Utility payments
- Postage
- Summer concert series performers at a cost not to exceed \$1,000/performance
- Petty cash reimbursements
- NYS Department of Criminal Justice Services payments
- State and Federal tax payments
- Special meeting payments
- Village program refunds
- Lifeguard Re-Certification Training class

AYES:
NAYS:

8. **MOTION** by Trustee Park, seconded by Trustee _____, to establish the following petty cash amounts for the Village of Hamburg.

Clk/Trs Counter	\$100.00
Clk/Trs Office	\$200.00
Clk/Trs Taxes	\$200.00
Police Dept.	\$200.00
Justice Court	\$200.00
Recreation	\$200.00
Dept. of Public Works	\$200.00

AYES:
NAYS:

9. **MOTION** by Trustee Davis, seconded by Trustee _____,

BE IT RESOLVED that authorization be given to the Mayor, Trustees, and Village Administrator for attendance at the annual meetings and training sessions of the New York State Conference of Mayors (NYCOM) and other municipal officials organizations; and in addition to the aforesaid officials attendance by the Mayor at such conferences and meetings as he deems necessary for the good of the Village; attendance by the Village Administrator at New York State Archives workshops, Government Finance Officers Association (GFOA), International City Managers Association (ICMA) conferences and New York State City & County Managers Association (NYSCCMA) conferences; attendance by the Deputy Clerk at NYCOM and New York State Archives workshops and training sessions; attendance by the Department of Public Works designated representative at NYCOM training sessions and workshops, training sessions sponsored by the New York State Department of Environmental Conservation and other municipal officials organizations; the Police Chief at the Annual Conference of New York State and International Association of Police Chiefs, training

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conferences of the FBI National Academy Associates and other municipal officials organizations; attendance by the Recreation Supervisor and/or his designated representative(s) at the annual meetings of the New York State Parks and Recreation Association; New York State Youth Bureau, and the Niagara Frontier Parks and Recreation Association; attendance of Planning Commission Members and Zoning Board of Appeals Members at the New York Planning Federation Annual Planning & Zoning Conference.

BE IT FURTHER RESOLVED, that employees of the Village shall routinely submit a request for attendance at such meetings with an estimate of the costs to the Village Administrator in advance of such meeting; and

BE IT FURTHER RESOLVED, that attendees be reimbursed by the Village for regular and reasonable budgeted expenses incurred by their attendance at the above functions under Section 77-b of the General Municipal Law of the State of New York.

AYES:

NAYS:

10. **MOTION** by Trustee Davis, seconded by Trustee _____, that the Regular Meetings of the Hamburg Board of Trustees will be held on the first and third Mondays of each month at 7:00 p.m. except for the following modifications:

Change due to official Monday holidays:

Monday, September 2, 2024 changed to Tuesday, September 3, 2024

Monday, January 20, 2025 changed to Tuesday, January 21, 2025

Monday, February 17, 2025 changed to Tuesday, February 18, 2025

The Annual Organizational Meeting will be held on Monday, April 7, 2025 at 7:00 p.m.

AYES:

NAYS:

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11. **MOTION** by Mayor Tallman, seconded by Trustee _____,
to approve the Mayor's Liaison Appointments for the fiscal year 2024-2025.

- | | |
|----------------------------------|--|
| MAYOR TALLMAN | <ol style="list-style-type: none">1. Police Commissioner2. Liaison - Other Governments3. Public Relations4. Hamburg Health Council5. Hamburg School Board6. Character Council |
| DEPUTY MAYOR/
TRUSTEE GAUGHAN | <ol style="list-style-type: none">1. Parks & Beautification2. Recreation Commission3. Community Center |
| TRUSTEE HACKATHORN | <ol style="list-style-type: none">1. Clerk-Treasurer's Office2. Historic Preservation Commission3. Economic Development Committee |
| TRUSTEE DAVIS | <ol style="list-style-type: none">1. Planning Commission2. Architectural Review Committee |
| TRUSTEE PARK | <ol style="list-style-type: none">1. Justice Department2. Environmental Conservation Commission |
| THOMAS J. MOSES, SR. | <ol style="list-style-type: none">1. Fire Commissioner2. Hamburg Industrial Development Agency (HIDA) |

AYES:
NAYS:

**MOTIONS
REGULAR MEETING**

1. **MOTION** by Trustee Hackathorn, seconded by Trustee _____, to approve the minutes of the Regular Meeting of the Board of Trustees held on Monday, March 18, 2024.

AYES:

NAYS:

2. **MOTION** by Trustee Hackathorn, seconded by Trustee _____, to adopt the *Fund Balance Policy* and to add such policy to the Village Policies As Adopted By The Hamburg Board of Trustees.

Village of Hamburg Fund Balance Policy

I. PURPOSE

The Village of Hamburg believes that a fund balance policy for its General Fund will ensure long-term stability of its financial resources. The goal of the policy is to ensure that the unassigned fund balance is maintained at a reasonable level, not too high or too low, in order to protect against reducing service levels, revenue shortfalls, raising taxes and fees, and unanticipated one-time expenditures, emergencies or disasters.

II. BACKGROUND AND DEFINITIONS

The Government Accounting Standards Board (GASB) issued GASB Statement Number 54, Fund Balance Reporting and Governmental Fund Type Definitions. Statement 54 abandons the reserved and unreserved classifications of fund balance and replaces them with five new classifications for Governmental Funds: non-spendable, restricted, committed, assigned and unassigned. The last three classifications comprise the unrestricted fund balance. The statement went into effect June 30, 2011.

1. Fund Balance – Consists of the measurement of available resources and represents the difference between total assets and total liabilities.
2. Non-Spendable – Consists of the amounts that cannot be spent because they are in a non-spendable form. Examples: prepaid insurance, inventory.
3. Restricted – Consists of amounts that are subject to externally enforceable legal purpose restrictions imposed by certain creditors, grantors, contributors or laws and regulations of other governments, or through constitutional provisions or enabling legislation. Example: reserves.
4. Committed (Unrestricted) – Consists of amounts constrained to specific purposes by a government itself using its highest-level decision-making authority.
5. Assigned (Unrestricted) – Consists of amounts that are subject to a purposes constraint that represents an intended use established by the government’s highest-level decision-making authority. Example: encumbrances.
6. Unassigned (Unrestricted) – Consists of all balances remaining after considering the other four categories for the general fund and could results in a surplus or deficit. Use is least constrained in this category.

III. POLICY STATEMENT

Village of Hamburg finances will be managed so as to maintain balances of the various funds at levels sufficient to mitigate current and future risks, such as revenue shortfalls, unanticipated expenditures, stabilization of tax rates and user fees, protection of the Village’s creditworthiness, and to provide for adequate cash flow needs. New York State Law provides authority for the carryover of reasonable amounts of fund balance from fiscal year to fiscal year. A reasonable amount considers such factors as providing adequate cash flow to cover approximately three months of expenditures thereby

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providing the liquidity necessary to accommodate the Village's uneven cash flow inherent with its tax collection and state program reimbursements. The Village will strive to maintain an unrestricted fund balance in this range at all times. An unrestricted fund balance below the minimum should be replenished with the succeeding fiscal year.

IV. POLICY UPDATE

This policy will be reviewed and updated as deemed necessary by the Board of Trustees.

AYES:

NAYS:

3. **MOTION** by Trustee Gaughan, seconded by Trustee _____, to authorize the appointment of Charles Orcutt, 350 Sunset Drive, as a Substitute School Crossing Guard PT, effective immediately, with a daily rate of \$28.56.

AYES:

NAYS:

4. **MOTION** by Trustee Park, seconded by Trustee _____, to authorize Mayor Thomas P. Tallman and Village Administrator Jason Cozza to sign a grant requirements and obligations document for a Ralph C. Wilson Legacy Funds Grant through Community Foundation of Greater Buffalo. The grant was awarded to study the feasibility of constructing a pedestrian-only bridge over Eighteen Mile Creek at the Overlook and Anna Mae Bacon Bird Sanctuary. Amount of the grant is \$50,000.

AYES:

NAYS:

5. **MOTION** by Trustee Davis, seconded by Trustee _____, to recommend that the Village Board approve Site Plan Application #2023-01944, 95 Buffalo Street, for a new building/addition that will connect to the *Village Veterinary Clinic* and *Resorts Boarding and Play*, as presented by Jim Bammel of Bammel Architects and Valerie Sarcione of Nussbaumer & Clark Engineers. Neighborhood Commercial Corridor (NCC). Green space will be added in the front of the building and an additional 22 parking spaces will be added in the rear. Said Site Plan having been reviewed by the Planning Commission at their meetings of September 26, 2023 and March 26, 2024, 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 #2023-01944 for a new building at 95 Buffalo Street as recommended by the Planning Commission.

AYES:

NAYS:

6. **MOTION** by Trustee Davis, seconded by Trustee _____, to recommend the Village Board approve the Application for Certificate of Compliance for building design standards submitted by Andrew and Maura Zalikowski, 20 S. Buffalo Street, *Foxglove Pub*, for a 30' wood fence, starting 3' off of the sidewalk for 10' at 3' in height and then rising to 6' in height. The fence will be anchored to the existing concrete curb and the carport in the rear. Said application having been reviewed by the Architectural Review Committee at their meeting of March 19, 2024, 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

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APPROVES: the Application for Certificate of Compliance for building design standards for fencing at 20 S. Buffalo Street, *Foxglove Pub*, as recommended by the Architectural Review Committee.

AYES:

NAYS:

7. **MOTION** by Trustee Hackathorn, seconded by Trustee _____, to authorize the payment of the Village of Hamburg Accounts for the period ending April 1, 2024.

AYES:

NAYS: