Agenda

Catherine Rybczynski Town Clerk

Town Board of the Town of Hamburg

June 12, 2023

1. **Roll Call**
2. **Pledge of Allegiance**
3. **Proclamation In Recognition of Richard Nowak**
4. **Minutes of Previous Meetings**
5. **Scranton Volunteer Fire Co. New Member - Jacob Brandel**
6. **Assessment Department Bid Award - Robert Wunder**
7. **Columbia Ave Storm Water Improvement**
8. **Town Senior Pool Repairs**
9. **West Arnold Waterline Amendment Task 1- Road Design**
10. **B&G_Equipment Purchase_Nike Base**
11. **B&G_Equipment Lease_Golf Course**
12. **B&G PAF**
13. **Erie County Municipal Planning Grant**
14. **Flag Pole Installation at Town Hall**
15. **Request for Proposals Frontier Middle Safe Routes to School Project**
16. **IT Budget Transfer**
17. **18 Mile Golf Course Water Service Upgrade Feasibility study**
18. **Senior Services & NYS DOT 5310 Transportation Program**
19. **Industrial Rezoning Public Hearing Resolution - Intersection of Lakeview Rd., Old Lakeview Rd. and Evans Rd.**
20. **Industrial Rezoning Public Hearing Resolution - Lakeview Rd. Railroad**
21. **Industrial Rezoning Public Hearing Resolution - Vicinity of Intersection of Camp Road and Staley Drive**
22. **New Position: Assessment Clerk Part-Time**
23. **PAF - Youth, Recreation & Senior Services**
24. **Appointment to the full-time provisional position of Assistant Code Enforcement Officer in the Building Inspection Department.**

25. **Appointment to the full-time provisional position of Assistant Code Enforcement Officer in the Building Inspection Department**
26. **Planning Board Appointment**
27. **Public Hearing Resolution - American Rescue Plan Act Funds Allocation**
28. **PERMANENT POW/MIA FLAG AT HAMBURG TOWN HALL**
29. **Business from the Floor**
30. **Meeting is adjourned by Supervisor**

Town Board of the Town of Hamburg
June 12, 2023 Meeting

3. Proclamation In Recognition of Richard Nowak

In Recognition of Richard Nowak

WHEREAS, Richard Nowak has been an invaluable employee of the Town of Hamburg; and

WHEREAS, he has served the Town of Hamburg for thirty-six (36) years with the utmost commitment and dedication in the Buildings & Grounds department; and

WHEREAS, he has been a respected leader, loved by his fellow workers, guided by principle, always having the Town's best interest at heart, he will leave behind a legacy; and

WHEREAS, he certainly will have left the Nike Sports Complex a better place than when he arrived, always going the extra mile; and

WHEREAS, thousands of residents have benefited from the playing fields at Nike as their children and families created priceless memories on the sports fields that Rick always gave his best to have ready.

NOW, THEREFORE, BE IT RESOLVED, that the Hamburg Town Board thanks Rick for his dedicated service to the people of the Town of Hamburg and wishes him well as he enjoys his retirement working on the house, cheering on the Bills at the stadium, snowmobiling in Canada, and boating at camp with his wife, Nancy, by his side along with his sons, Patrick and Kyle, his little buddy, Abby, and the newest addition coming in early fall to the Nowak family, a grandson, Camden Richard, for parents-to-be Kyle and wife, Michaela; and

BE IT FURTHER RESOLVED, that to our friend and colleague, Richard Nowak, we say thank you for a job well done.

Moved: R. Hoak

Town Board of the Town of Hamburg
June 12, 2023 Meeting

4. Minutes of Previous Meetings

RESOLVED, that the Hamburg Town Board does hereby approve the minutes of the previous meeting as follows:

Regular Town Board Meeting held May 8, 2023

Moved: Comerford

Town Board of the Town of Hamburg
June 12, 2023 Meeting

5. Scranton Volunteer Fire Co. New Member - Jacob Brandel

RESOLVED that the Hamburg Town Board does hereby approve the request of the Scranton Volunteer Fire Co. to add to the rolls of their membership the individual as follows:

Jacob Brandel

Moved: R. Hoak

ATTACHMENTS:

Description	Upload Date	Type
Letter	5/23/2023	Cover Memo

Scranton Volunteer Fire Company

5395 Scranton Road
Hamburg, New York 14075

5-10-23

To the members of the Hamburg Town Board,

The members of the Scranton Volunteer Fire Company, have recently voted in Jacob Brandel residing at 4912 Oregon St. Hamburg, N.Y. 14075.

We are asking for the Town Board's approval for membership.

If there are any questions, please contact Michael Mosier at (716) 989-8864.

Thank you,

Michael Mosier

Scranton VFC Corresponding Secretary

Town Board of the Town of Hamburg
June 12, 2023 Meeting

6. Assessment Department Bid Award - Robert Wunder

WHEREAS, the Assessor's Office has prepared bid documents for Assessment Support Services for the Town of Hamburg; and

WHEREAS, a public bid opening was held on Monday, May 15, 2023, and

WHEREAS, the Town of Hamburg received a single sealed bid from an eligible individual;

WHEREAS, the single responsible bidder for this service is Robert Wunder, having submitted a bid for Assessment Support Services not to exceed $54,000. Funds are available in A.1355.440.07;

NOW THEREFORE, BE IT RESOLVED, that the Town Supervisor is authorized to sign the contractual agreement with Robert Wunder.

Moved: Connolly

Town Board of the Town of Hamburg
June 12, 2023 Meeting

7. Columbia Ave Storm Water Improvement

WHEREAS, Columbia Avenue has existing storm sewers that continue to collect debris from an open pipe inlet which is in need of upgrading and construction of a debris collection system; and

WHEREAS, the Town of Hamburg Engineering Department has solicited for Professional Engineering services to survey, design, perform an analysis, evaluation, provide solutions to address debris collection, and also generate a cost estimate to make the necessary improvements;

THEREFORE BE IT RESOLVED, based on recommendation of the Engineering Department, the Hamburg Town Board authorizes the proposal from Nussbaumer & Clarke, Inc. for the Columbia Avenue Storm System Improvement Project the amount of $16,700.00.

Funds available in B.1490.0460.0001 – Repairs and Maintenance Storm Sewers

Moved: S. Connolly

Town Board of the Town of Hamburg
June 12, 2023 Meeting

8. Town Senior Pool Repairs

WHEREAS, the Town of Hamburg Engineering Department have prepared bid documents for the Town Senior Pool Building Electric and Interior Repair, and

WHEREAS, a Public Bid Opening was held on April 20, 2023, and

WHEREAS, that the lowest responsible bidder for this project is:

Allgaier Construction Corporation 4796 Thompson Road,
Clarence NY 14031, having submitted a bid in the amount of
Ninety-Thousand, four-hundred dollars and no cents, ($90,400.00),

BE IT RESOLVED, that the Town Supervisor is authorized to sign the contractual agreement with Allgaier Construction Corporation and issue the Notice of Award and Notice to Proceed.

Account # CS.1930.0451

Moved: R. Hoak

Town Board of the Town of Hamburg
June 12, 2023 Meeting

9. West Arnold Waterline Amendment Task 1- Road Design

WHEREAS, The Town of Hamburg is working to replace a new 8" watermain on West Arnold Drive; and it has been determined by the Erie County Water Authority that the new watermain will require a Town maintained roadway to ensure access to this critical infrastructure; and

WHEREAS, the Town of Hamburg currently is working with Nussbaumer & Clarke Inc. on this project;

THEREFORE BE IT RESOLVED, the Town Board authorize the Town of Hamburg Supervisor to sign the amendment to the existing agreement from Nussbaumer & Clarke Engineers & Surveyors for the West Arnold Drive Watermain Improvement Project Task 1 – Roadway improvements in the amount of $20,412.00.

Funds to be transferred from the B.1990.0419 – contingency account to account B.1490.0440.0002

Moved: S. Connolly

Town Board of the Town of Hamburg
June 12, 2023 Meeting

10. B&G_Equipment Purchase_Nike Base

June 12, 2023

BE IT RESOLVED, that the Town Board approve the purchase of one (1) John Deere Gator XUV835E and one (1) John Deere Z960M ZTrak for the amount of $20,796.21, after trade-ins, per NY State Contract Landscaping Grounds PC69683 (PG XN CG 22) from Deere & Company.

Funds available in account A.7141.201, with additional funds to be transferred from account A.7141.303, not to exceed $1,000.00.

Moved: R. Hoak

Town Board of the Town of Hamburg
June 12, 2023 Meeting

11. B&G_Equipment Lease_Golf Course

June 12, 2023

BE IT RESOLVED, that the Town Board authorizes the Buildings and Grounds Department to purchase a 4520Z Kubota, Duals Field Trax, and MJ840 Contour Mower in the total amount of $37,456.40, per NYS Contract PC69682 from Grassland Equipment & Irrigation Corp. Purchase is on a lease-to-own basis with three (3) annual payments of $13,315.75.

Funds are available in account ER.7250.201, to be transferred to ER.7250.478.

Moved: R. Hoak

Town Board of the Town of Hamburg
June 12, 2023 Meeting

12. B&G PAF

June 12, 2023

BE IT RESOLVED, that the Town Board approves the hiring of the following employees in B&G.

Moved: R. Hoak

ATTACHMENTS:

Description	Upload Date	Type
B&G PAF 6-12-23	6/8/2023	Cover Memo

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TOWN OF HAMBURG - PERSONNEL ACTION FORM

Date of Request 6/7/23 Department- Buildings & Grounds

Department Head Signature _____

Supervisor Signature _____ Date 6/6/23

TOWN BOARD MEETING OF JUNE 12, 2023

PAGE 1 of 1

I request that a Town Board Resolution be adopted approving the following personnel action:

#	Emp #	Emp Name	N or R	Position	Start date	Full time hrly rate	PT/Sea/temp hrly rate	Term date
1	5202	Rory Cook	R	SeaPT Laborer A.7140.102	5/23/2023		$14.20	
2	5084	Cal Tomaka	R	SeaPT Laborer A.7140.102	6/5/2023		$14.20	
3	4933	Walt Rybczynski	R	SeaPT Laborer A.7140.102	6/13/2023		$14.20	
4		Justin Dembski	N	SeaPT Laborer A.7140.102	6/13/2023		$14.20	
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Town Board of the Town of Hamburg
June 12, 2023 Meeting

13. Erie County Municipal Planning Grant

WHEREAS, The Erie County Department of Environment and Planning announced the availability of a total of $350,000 for municipalities for the purposes of creating and updating municipal planning documents and undertaking planning and related studies focused on economic development; and

WHEREAS, the intent of these funds is to address emerging issues, comprehensively plan for municipalities, and to conduct the planning necessary to better address community needs and improve the tax base; and

WHEREAS, it is the intent of the Town of Hamburg to implement recommendations in the recently adopted 2022 Town of Hamburg Comprehensive Plan including those that incorporate smart growth principles and sustainable practices into the town's zoning to encourage appropriate land use patterns, and

WHEREAS, it is expected that these land use patterns will revitalize neighborhoods, promote responsible economic develop and better protect the Town of Hamburg's natural resources, open spaces, and agricultural lands,

NOW, THEREFORE, BE IT RESOLVED the Hamburg Town Board authorizes EECG Consulting to prepare and submit the Municipal Planning Grant Application to the Erie County Department of Environment and Planning; and

BE IT FURTHER RESOLVED THAT, if the grant is awarded, the Town of Hamburg will commit to the development and full implementation of the proposed project and the Town of Hamburg will designate EECG Consulting to manage the project on behalf of the Town of Hamburg.

Moved: Farrell Lorentz

Town Board of the Town of Hamburg
June 12, 2023 Meeting

14. Flag Pole Installation at Town Hall

Whereas, the Town of Hamburg currently has a flag pole at Town Hall dedicated to the display of the American Flag with the POW MIA flag displayed directly below, and

Whereas, the Hamburg Town Board strives to promote inclusiveness, understanding, awareness, and recognition of groups, organizations, events, and commemorations in the Town of Hamburg, and

Whereas, this may include the display of a flag at Town Hall at a specified time,

Now Therefore Be It Resolved, that the Hamburg Town Board authorizes the installation of an additional flag pole at Town Hall, and tasks the Director of Building and Grounds with taking the necessary steps to plan for and install this additional flag pole, following all guidelines for the installation of a flag pole when in proximity to the flag pole displaying the American Flag and POW MIA Flag, and

Be It Further Resolved that The Director of Building and Grounds will coordinate this effort with the Town's Veterans Committee so as to insure adherence to guidelines and proper placement of said flag pole, and report directly to the Town Board on progress throughout the process, and

Be It Further Resolved that the Hamburg Town Board will develop a policy for the use of this flag pole.

Funds available in

Moved: Farrell Lorentz

Town Board of the Town of Hamburg
June 12, 2023 Meeting

15. Request for Proposals Frontier Middle Safe Routes to School Project

WHEREAS, limited pedestrian and bicyclist safety infrastructure and community connectivity exists in the areas adjacent to the Frontier Middle School along Amsdell Road; and

WHEREAS, the Town of Hamburg received a $550,000 multimodal award from NYS Senator Sean Ryan to implement pedestrian and bicyclist safety infrastructure improvements in proximity to the Frontier Middle School,

NOW, THEREFORE, BE IT RESOLVED the Hamburg Town Board authorizes EECG Consulting to issue an RFP in the New York State Contract Reporter, on behalf of the Town of Hamburg, to initiate the selection process to secure a consultant to provide professional design services for the Frontier Middle Safe Routes to School Project; and

BE IT FURTHER RESOLVED THAT, once the agreement is executed, the Town of Hamburg will designate EECG Consulting to manage the project on behalf of the Town of Hamburg.

Moved: Farrell Lorentz

Town Board of the Town of Hamburg
June 12, 2023 Meeting

16. IT Budget Transfer

NOW, THEREFORE BE IT RESOLVED, that the Town Board approve the transfer of $50,000 from account B.1990.419 into account B.1690.499 to facilitate ongoing surveillance and security efforts.

Moved: R. Hoak

ATTACHMENTS:

Description	Upload Date	Type
IT Budget Transfer (PDF)	6/8/2023	Cover Memo

IT Budget Transfer

NOW, THEREFORE BE IT RESOLVED, that the Town Board approve the transfer of $50,000 from account B.1990.419 into account B.1690.499 to facilitate ongoing surveillance and security efforts.

Town Board of the Town of Hamburg
June 12, 2023 Meeting

17. 18 Mile Golf Course Water Service Upgrade Feasibility study

WHEREAS, the Town of Hamburg owns and maintain a public park known as 18 Mile Creek Golf Course; and

WHEREAS, it is in need of upgrades and reconstruction of its water service for consumption, fire protection, and possible future connection to the existing irrigation system with backflow protection in accordance with Erie County Department of Health; and

WHEREAS, the Town of Hamburg Engineering Department has solicited for Professional Engineering services to survey, design, perform a hydraulic analysis, evaluation, and generate a cost benefit analysis to upgrade the existing water infrastructure;

THEREFORE BE IT RESOLVED, based on recommendation of the Engineering Department, the Hamburg Town Board authorize the Town Supervisor to sign the proposal from DuBois & King, Inc. for the 18 Mile Creek Golf Course Water Service Improvement Feasibility Study in the amount of $5,500.00.

Funds available in H.021.7250.303 – Professional services 18 Mike creek golf course irrigation system

Moved: S. Connolly

Town Board of the Town of Hamburg
June 12, 2023 Meeting

18. Senior Services & NYS DOT 5310 Transportation Program

Be it resolved, the Town Board approves the updated Title VI Plan from 2019 which is to be in place related to the NYS DOT Section 5310 Transportation Program. The grants received through this program have been utilized to augment the fleet of vans for the Town's Senior Service Transportation Program for the elderly and persons with disabilities.

Furthermore, the Town Board approves and authorizes the Supervisor to sign the Civil Rights Nondiscrimination Policy statement which shall be in compliance with the NYS DOT Civil rights review related to the above Program.

Moved: Connolly

ATTACHMENTS:

Description	Upload Date	Type
Title VI Plan	6/8/2023	Cover Memo
Civil Rights Nondiscrimination Policy	6/8/2023	Cover Memo

Town of Hamburg
Section 5310 Transportation Program
Title VI Plan

Prepared By:
Town of Hamburg Department of Youth, Recreation, & Senior Services

Submitted to:
New York State Department of Transportation (NYSDOT)

Ms. Jillian Gorman-King
Director

Town of Hamburg Department of Youth, Recreation, & Senior Services
4540 Southwestern Boulevard
Hamburg, New York 14075
Tel: (716) 646-5145
Fax: (716) 646-5164
www.hamburg-youth-rec-seniors.com

May 2023

Enjoy Your Leisure Time in Hamburg...The Town That Friendship Built

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Section A: Issue Statement

The Federal Transit Administration (FTA) requires all recipients of FTA assistance to develop a Title VI program. This is a new requirement. In the past, the Title VI program of the New York State Department of Transportation covered the State and its grantees. Now, each grantee must have its own program. As a recipient of 5310 FTA assistance and as per FTA requirements, the Town of Hamburg has developed an initial Title VI Plan. Please note that this plan and its contents are preliminary, therefore any and all of the plan components are subject to change based on recommendations from federal, state, and local stakeholders.

Section B: Notice to the Public

The Town of Hamburg, as per FTA requirements, has posted a Civil Rights Statement, identified below. Please note that this Civil Rights Statement is posted in a highly visible location in each of the Town of Hamburg 5310 Transportation Program vehicles. Moreover, the statement includes the following four (4) components:

- A statement that the agency operates programs without regard to race, color, and national origin
- A description of the procedures that members of the public should follow in order to request additional information on the grantee's nondiscrimination obligations
- A description of the procedures that members of the public should follow in order to file a discrimination complaint against the grantee
- A statement that the agency's Title VI obligations and complaint procedures will be translated into other languages as needed

Civil Rights Statement

Town of Hamburg Department of Youth, Recreation, & Senior Services The Town of Hamburg Department of Youth, Recreation, & Senior Services is committed to providing non- discriminatory service to ensure that no person is excluded from participation in, denied the benefits of, or subjected to discrimination in the receipt of its services on the basis of race, color, or national origin as protected by Title VI of the Civil Rights Act of 1964 ("Title VI"). Assistance is available for Limited English Proficient (LEP) individuals.

To request additional information about Title VI, or if you believe you were subject to discrimination and would like to submit a written complaint, you may contact:

Ms. Tara Rinaldi
Town of Hamburg Personnel Department
S6100 South Park Avenue
Hamburg, New York 14075
(716) 649-6111 x2386

Section C: Complaint Instructions and Form

Town of Hamburg, New York Title VI Plan

Title VI of the 1964 Civil Rights Act requires that "No person in the United States shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."

Any person who believes that he/she has been aggrieved by an unlawful discriminatory practice on the basis of race, color or national origin by the Town of Hamburg, NY may file a complaint by completing and submitting the Town of Hamburg, NY Title VI Complaint Form.

How do you file a complaint?

You may download the Town of Hamburg, NY Title VI Complaint Form at
www.hamburg-youth-rec-seniors.com or request a copy:

Town of Hamburg Department of Youth, Recreation, & Senior Services
4540 Southwestern Blvd
Hamburg, NY 14075
(716) 646-0665

You may file a signed, dated and written complaint no more than 180 days from the date of the alleged incident. The complaint should include:

- Your name, address and telephone number. (See Question 1 of the Complaint Form)
- How, why, and when you believe you were discriminated against. Include as much specific, detailed information as possible about the alleged acts of discrimination, and any other relevant information. (See Questions 7, 8, 9, and 10 of the Complaint Form)
- The names of any persons, if known, whom the Title VI officer could contact for clarity of your allegations. (See Question 11 of the Complaint Form)

Please submit your complaint form to:

Ms. Tara Rinaldi
Town of Hamburg Personnel Department
S6100 South Park Avenue
Hamburg, New York 14075
(716) 649-6111 x2386

How will your complaint be handled?

The Town of Hamburg, NY investigates complaints received no more than 180 days after the alleged incident. The Town of Hamburg, NY will process complaints that are complete. Once a completed complaint is received, the Town of Hamburg, NY will review it to determine if the Town of Hamburg, NY has jurisdiction. The complainant will receive an acknowledgement letter informing her/him whether the complaint will be investigated by the Town of Hamburg, NY.

The Town of Hamburg, NY will generally complete an investigation within 90 days from receipt of a completed complaint form. If more information is needed to resolve the case, the Town of Hamburg, NY may contact the complainant. Unless a longer period is specified by the Town of Hamburg, NY, the complainant will have ten (10) days from the date of the letter to send requested information to the Town of Hamburg, NY investigator assigned to the case. If the Town of Hamburg, NY investigator is not contacted by the complainant or does not receive the additional information within the required timeline, the Town of Hamburg, NY may administratively close the case. A case may be administratively closed also if the complainant no longer wishes to pursue their case.

After an investigation is complete, the Town of Hamburg, NY will issue a letter to the complainant summarizing the results of the investigation, stating the findings and advising of any corrective action to be taken as a result of the investigation. If a complainant disagrees with the Town of Hamburg, NY determination, he/she may request reconsideration by submitting a request in writing to the Town of Hamburg Personnel Department within seven (7) days after the date of the Town of Hamburg, NY letter, stating with specificity the basis for the reconsideration. The Town of Hamburg Personnel Department will notify the complainant of their decision either to accept or reject the request for reconsideration within 10 days. In cases where reconsideration is granted, the Town of Hamburg Personnel Department will issue a determination letter to the complainant upon completion of the reconsideration review.

If information is needed in another language, please contact the Town of Hamburg Department of Youth, Recreation, & Senior Services at (716) 646-0665.

TOWN OF HAMBURG, NY TITLE VI COMPLAINT FORM

"No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." If you feel that you have been discriminated against in the provision of transit services, please provide the following information to assist us in processing your complaint. Should you require any assistance in completing this form or need information in alternate formats, please let us know.

Please mail or return this form to: Ms. Tara Rinaldi
Town of Hamburg Personnel Department
S-6100 South Park Avenue Hamburg, New York 14075
(716) 649-6111 x2386

Title VI COMPLAINT FORM

Name _____

Address _____ **City**_____ **Zip** _____

Telephone: Home _____**Work** _____ **Cell** _____

Basis of Complaint: (place checkmark}

- ☐ **Race**
- ☐ **Color**
- ☐ **Sex**
- ☐ **National Origin**
- ☐ **Age**
- ☐ **Disability**

Type of Complaint (place checkmark)

☐ **Program** ☐ **Service** ☐ **Benefit** ☐ **Activity**

<u>Who allegedly discriminated against you?</u>

Name _____

Address _____ **City**_____ **Zip** _____

Telephone _____

If an organization, what is its name?

Name of Organization _____

Address _____ **City**_____ **Zip** _____

Telephone _____

Name of Contact _____

How were you discriminated against?

Dates and times discrimination occurred?

Were there any other witnesses to the discrimination?

Name	**Title**	**Work Phone**	**Home Phone**
_____	_____	_____	_____
_____	_____	_____	_____

Have you filed your complaint with anyone else?

Who_____

When _____

Do you have an Attorney in this matter?

Name_____

Address_____ **City** _____**Zip** _____

When did you acquire _____

Signed _____ **Date** _____

Section D: Title VI Complaints, Investigations, and Lawsuits

FTA requires that the Town of Hamburg, NY Title VI Plan includes a list of transit-related Title VI complaints, investigations, and lawsuits. This information is provided to the New York State Department of Transportation (NYSDOT) via the regular semi-annual reporting. Moreover, the Town of Hamburg, NY will forward copies of complaints and investigations to NYSDOT. Please note that EEO and ADA complaints are not Title VI complaints and therefore will not be listed. Additionally please note that only Title VI complaints, investigations, or lawsuits related to transit service will be submitted to NYSDOT.

NYSDOT Semi-Annual Reporting Title VI Questions:

#1. Since the last report, have lawsuits or complaints alleging discrimination in transportation service delivery been filed against your organization? (If Yes, explain the status or outcome in the organization's narrative)

#2. Has your organization conducted any Civil Rights compliance review activities since the last reporting relating to transportation service? (If Yes, summarize these activities in the organization's narrative)
Page

Section E: Public Participation

FTA requires that the Town of Hamburg, NY Title VI Plan includes a public participation component that incorporates an outreach plan to engage minority and Limited English Proficient (LEP) populations. The plan may include other constituencies that are traditionally underserved, such as people with disabilities, low-income populations, and others. Applicants to NYSDOT for FTA assistance are required to comply with several requirements that help meet this Title VI requirement.

Potential public participation methods include but are not limited to open Town Board meetings and Town of Hamburg Senior Services Advisory Board meetings. Information regarding Town Board and Senior Services Advisory Board meetings dates can be found online at **www.townofhamburgny.com or www.hamburg-youth-rec-seniors.com**.

Hamburg Town Board meetings are held at: Hamburg Town Hall
S6100 South Park Avenue
Hamburg, NY 14075
ADA Accessible: Yes

Town of Hamburg Senior Services Advisory Board meetings are held at: Hamburg Senior Community Center
4540 Southwestern Blvd
Hamburg, NY 14075
ADA Accessible: Yes

Section F: Limited English Proficiency (LEP)

As per FTA requirements, the Town of Hamburg Title VI Plan includes options for providing language assistance to Limited English Proficient (LEP) individuals. An LEP individual is someone who speaks English less than very well. Please see below for the existing Town of Hamburg, NY information based on the FTA LEP Requirements:

[1] Number and proportion of LEP individuals served or encountered in service area

Table 1
2010 Census Numbers for LEP Persons Residing within the Service Area

Population 5 Years and Over by Language Spoken at Home and Ability to Speak English	Hamburg 14075	Blasdell 14219	Lake View 14085	Total	Percentage of Population 5 Years and Older
Population 5 Years and Over	41,086	10,814	6,944	58,844	
Speak English less than "very well"	301	209	19	529	< 1%
Spanish	420	189	43	652	
Speak English less than "very well"	91	78	11	180	< 1%
Other Indo-European	690	206	104	1000	
Speak English less than "very well"	142	60	8	210	< 1%
Asian and Pacific Island	68	72	0	140	
Speak English less than "very well"	22	71	0	93	< 1%
All Other	147	8	0	155	
Speak English less than "very well"	46	0	0	46	< 1%

[2] Frequency in which LEP individuals come into contact with transit services

Table 2
Frequency of Contact with LEP Persons

Frequency	Number of LEP Persons	Languages Spoken by LEP Persons
Daily	0	N/A
Weekly	0	N/A
Monthly	0	N/A
Less frequently than monthly	0	N/A

[3] Nature and importance of transit service

The Town of Hamburg 5310 Transportation Program primarily provides participants with services to and from: medical appointments, dialysis, grocery, senior social programs, and adult day services.

[4] Language assistance resources potentially available to assist LEP individuals

[I] Town of Hamburg, NY currently contracts with WNY Deaf Access Services
[II] Town of Hamburg, NY Police Department currently uses Voiance Language Services
[III] Erie County, NY Department of Senior Services currently uses Language Line Services

Section G: Subrecipients

The Town of Hamburg 5310 Transportation Program does not utilize subrecipients at this time.

Section H: Fixed Route Systemwide Service Standards

The Town of Hamburg 5310 Transportation Program does not provide fixed-route bus service at this time.

Section I: Fixed Route Systemwide Policies

The Town of Hamburg 5310 Transportation Program does not provide fixed-route bus service at this time.

Civil Rights Nondiscrimination Policy Statement

It is the policy of the **Town of Hamburg** to prevent and eliminate discrimination in all of its operations and services as well as all aspects of employment. All Department, Divisions, Offices, and Bureaus will plan, develop and implement their programs and activities so that no person is subjected to unlawful discrimination based on race, creed, color, gender, age, national origin, religion, disability, sexual orientation, marital status, or Vietnam era veteran status.

This policy fully incorporates throughout all of the **Town of Hamburg's** operations the requirements of applicable State and Federal laws and executive orders to prohibit any discriminatory practices, procedures and policies. All administrators, managers, supervisors and employees are directed to comply with these laws and orders.

The **Town of Hamburg** is committed to maintaining an agency which recognizes and values the inherent worth and dignity of every person; fosters tolerance, sensitivity, understanding, and mutual respect among its members; and encourages each individual to strive to reach their own potential.

This policy will be placed on all **Town of Hamburg's** bulletin boards and made available to all organizations and entities doing business with the **Town of Hamburg**. Any complaints involving allegations of discrimination should be sent to

Tara Rinaldi, Director of Personnel
Hamburg Town Hall
6100 South Park Avenue
Hamburg NY 14075
716-649-6111, ext. 2386

New York State Laws

New York State Human Rights Law Article 15 (1945) – Guarantees nondiscrimination in the State of New York on the basis of race, creed, color, national origin, sex, marital status, age, disability and or sexual orientation.

New York State Law Article 15-A (1988) - An act to amend the executive law and the state Finance law, in relation to participation by minority group members and women with respect to state contracts.

New York State Law Article 17-B (2014) – An Act to amend the executive law, in relation to expanding opportunities for service-disabled veteran-owned business enterprises.

Sexual Orientation Non-Discrimination Act (2003) – This Act amends the Executive Law to include sexual orientation.

New York State Executive Orders

On January 1, 2011, Governor Cuomo issued Executive Order 2 that authorized the continuation of certain prior Executive Orders related to equal opportunity and nondiscrimination in all State programs.

Executive Order No. 6 (Governor Cuomo, 1983) – Insures equal employment opportunities for minorities, women, disabled persons and Vietnam era Veterans in State government. The order clarifies and expands the power of the President of the Civil Service Commission and the Governor's Executive Committee for Affirmative Action to ensure that agencies develop and implement effective affirmative action plans.

Federal Laws and Executive Orders

Civil Rights Act of 1964 – Prevents discrimination in federally assisted programs; provides relief against discrimination in public accommodations; protects constitutional rights in public facilities and public education; enforces the constitutional right to vote. Title VI – Prohibits discrimination on the grounds of race, color or national origin in programs and activities receiving federal financial assistance. Title VII as amended by the Equal Employment Opportunity Act of 1972 – Makes it unlawful to discriminate in employment practices on the basis of race, color, religion, sex, or national origin.

Section 503 of the Rehabilitation Act of 1973 – Prohibits discrimination on the basis of physical or mental disability in every federally assisted program or activity in the country.

Age Discrimination Act of 1975 – Prohibits discrimination on the basis of age in programs or activities receiving federal financial assistance.

Civil Rights Restoration Act of 1988 – Specifies that recipients of federal funds must comply with civil rights laws in all areas, not just in a particular program or activity that receives federal funding. It applies to all federal laws.

Americans with Disabilities Act (ADA) of 1990 – Federal Law prohibiting discrimination against people with disabilities in employment, public access to services, transportation, public accommodations, and telecommunications services.

Civil Rights Act of 1991 – Provides appropriate remedies for intentional discrimination and unlawful harassment in the workplace; codifies the concepts of "business necessity" and "job related", confirms statutory authority and provide statutory guidelines for the adjudication of disparate impact suits under Title VII of the Civil Rights Act of 1964; expands the scope of relevant civil rights statutes in order to provide adequate protection to victims of discrimination. The Act provides for compensatory and punitive damages and jury trails in cases of sex, religious, and disability bias.

Executive Order No. 11246 – Prohibits employers doing business with the Federal Government from discriminating in employment because of race, color, religion, sex or national origin. Employers are required to take affirmative action in employment activities including hiring, promotion, transfers, training and minorities and women.

_____ _____

Chief Executive Officer Date

Town Board of the Town of Hamburg
June 12, 2023 Meeting

19. Industrial Rezoning Public Hearing Resolution - Intersection of Lakeview Rd., Old Lakeview Rd. and Evans Rd.

WHEREAS, the Town of Hamburg proposes to rezone parcels near the intersection of Lakeview Road, Old Lakeview Road, and Evans Road with the following SBL numbers from M-2 Light Industrial to C-2 General Commercial: 195.11-3-1, 195.11-3-2, 195.00-2-25.112, 195.11-3-3.1, 195.11-2-10, 195.11-3-3.22, 195.00-2-25.12, 195.11-3-5, 195.11-2-9, and 195.15-1-1.2, 195.08-13-7, 195.08-13-6, 195.11-3-4, 195.11-2-8, and 195.11-3-3.21; and

WHEREAS, the proposed zoning map amendment is proposed in the form of a Local Law pursuant to the authority granted to the Town of Hamburg ("**Town**") Town Board ("**Town Board**") and the Town by Articles 2 and 3 of the New York State Municipal Home Rule Law and by Article 2 of the New York State Statute of Local Governments, and the Town Board is authorized and empowered by Chapter 280, Article XLVIII of the Code, and Article 16 of New York Town Law to amend the Zoning Map of the Town to meet the growing and changing needs of the Town.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF HAMBURG AS FOLLOWS:

1. The Town Board has determined that they would like to continue with the rezoning of these parcels based on recommendation of the Planning Board.
2. For the reasons set forth in this Resolution, and pursuant to New York State Municipal Home Rule Law § 20 and Sections 8-15 and 280-338 of the Code, the Town Board hereby proposes a local law to amend the Zoning Map of the Town of Hamburg to rezone parcels near the intersection of Lakeview Road, Old Lakeview Road, and Evans Road with the following SBL numbers from M-2 Light Industrial to C-2 General Commercial: 195.11-3-1, 195.11-3-2, 195.00-2-25.112, 195.11-3-3.1, 195.11-2-10, 195.11-3-3.22, 195.00-2-25.12, 195.11-3-5, 195.11-2-9, and 195.15-1-1.2, 195.08-13-7, 195.08-13, 195.11-3-4, 195.11-2-8, and 195.11-3-3.21
3. In accordance with New York State Municipal Home Rule Law § 20(5), the Town Board hereby schedules a public hearing on the proposed zoning map amendment at its meeting on August 14, 2023, at 7:00 p.m., to be held at the Town of Hamburg Town Hall, located at 6100 South Park Avenue, Hamburg, New York 14075. The Town Board directs the Town Clerk to provide notice to the public of the public hearing in accordance with the requirements set forth in the New York State Municipal Home Rule Law, Article 16 of New York Town Law, and § 280-340 of the Code, and directs the Town Clerk to publish of the proposed zoning map amendment in the Town's official newspaper not less than ten (10) calendar days prior to the public hearing.

Town Board of the Town of Hamburg
June 12, 2023 Meeting

20. Industrial Rezoning Public Hearing Resolution - Lakeview Rd. Railroad

WHEREAS, the Town of Hamburg proposes to rezone parcels on the east side of the railroad near Lakeview Road with the following SBL numbers from M-2 Light Industrial to R-A Residential Agricultural: 193.00-4-7, 193.00-4-6, 193.00-4-3.11, and 193.00-4-2; and

WHEREAS, the proposed zoning map amendment is proposed in the form of a Local Law pursuant to the authority granted to the Town of Hamburg ("**Town**") Town Board ("**Town Board**") and the Town by Articles 2 and 3 of the New York State Municipal Home Rule Law and by Article 2 of the New York State Statute of Local Governments, and the Town Board is authorized and empowered by Chapter 280, Article XLVIII of the Code, and Article 16 of New York Town Law to amend the Zoning Map of the Town to meet the growing and changing needs of the Town.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF HAMBURG AS FOLLOWS:

1. The Town Board has determined that they would like to continue with the rezoning of these parcels based on recommendation of the Planning Board.
2. For the reasons set forth in this Resolution, and pursuant to New York State Municipal Home Rule Law § 20 and Sections 8-15 and 280-338 of the Code, the Town Board hereby proposes a local law to amend the Zoning Map of the Town of Hamburg to rezone parcels on the east side of the railroad near Lakeview Road with the following SBL numbers from M-2 Light Industrial to R-A Residential Agricultural: 193.00-4-7, 193.00-4-6, 193.00-4-3.11, and 193.00-4-2

3. In accordance with New York State Municipal Home Rule Law § 20(5), the Town Board hereby schedules a public hearing on the proposed zoning map amendment at its meeting on August 14, 2023, at 7:00 p.m., to be held at the Town of Hamburg Town Hall, located at 6100 South Park Avenue, Hamburg, New York 14075. The Town Board directs the Town Clerk to provide notice to the public of the public hearing in accordance with the requirements set forth in the New York State Municipal Home Rule Law, Article 16 of New York Town Law, and § 280-340 of the Code, and directs the Town Clerk to publish of the proposed zoning map amendment in the Town's official newspaper not less than ten (10) calendar days prior to the public hearing.

4. The Town Board also directs the Town Clerk to post a copy of the proposed zoning map amendment on the Town's web site, and to make a paper copy of the proposed Local Laws available for review by the public at the Town Hall, located at 6100 South Park Avenue, Hamburg, New York 14075.

Attached Documents:

Exhibit A. SEQRA Part 1 of the Full Environmental Assessment Form, as prepared by Andrew Reilly, AICP, of Wendel

Exhibit B. Map of Proposed Zoning Map Amendment, as submitted by Andrew Reilly, AICP, of Wendel

Town Board of the Town of Hamburg
June 12, 2023 Meeting

21. Industrial Rezoning Public Hearing Resolution - Vicinity of Intersection of Camp Road and Staley Drive

WHEREAS, the Town of Hamburg proposes to rezone parcels in the area near the intersection of Camp Road and Staley Drive with the following SBL numbers from M-3 General Industrial and M-2 Light Industrial to MU1 Mixed Use 1: 182.16-7-3.1, 182.20-10-7.21, 182.20-10-7.1, 182.20-10-6, 182.20-10-4.1, 182.20-10-3, 182.20-10-2, 182.20-10-5.11, and 180.20-10-1; and

WHEREAS, the proposed zoning map amendment is proposed in the form of a Local Law pursuant to the authority granted to the Town of Hamburg ("Town") Town Board ("Town Board") and the Town by Articles 2 and 3 of the New York State Municipal Home Rule Law and by Article 2 of the New York State Statute of Local Governments, and the Town Board is authorized and empowered by Chapter 280, Article XLVIII of the Code, and Article 16 of New York Town Law to amend the Zoning Map of the Town to meet the growing and changing needs of the Town.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF HAMBURG AS FOLLOWS:

1. The Town Board has determined that they would like to continue with the rezoning of these parcels based on recommendation of the Planning Board.
2. For the reasons set forth in this Resolution, and pursuant to New York State Municipal Home Rule Law § 20 and Sections 8-15 and 280-338 of the Code, the Town Board hereby proposes a local law to amend the Zoning Map of the Town of Hamburg to rezone parcels in the area near the intersection of Camp Road and Staley Drive with the following SBL numbers from M-3 General Industrial and M-2 Light Industrial to MU1 Mixed Use 1: 182.16-7-3.1, 182.20-10-7.21, 182.20-10-7.1, 182.20-10-6, 182.20-10-4.1, 182.20-10-3, 182.20-10-2, 182.20-10-5.11, and 180.20-10-1
3. In accordance with New York State Municipal Home Rule Law § 20(5), the Town Board hereby schedules a public hearing on the proposed zoning map amendment at its meeting on August 14, 2023, at 7:00 p.m., to be held at the Town of Hamburg Town Hall, located at 6100 South Park Avenue, Hamburg, New York 14075. The Town Board directs the Town Clerk to provide notice to the public of the public hearing in accordance with the requirements set forth in the New York State Municipal Home Rule Law, Article 16 of New York Town Law, and § 280-340 of the Code, and directs the Town Clerk to publish of the proposed zoning map amendment in the Town's official newspaper not less than ten (10) calendar days prior to the public hearing.

4. The Town Board also directs the Town Clerk to post a copy of the proposed zoning map amendment on the Town's web site, and to make a paper copy of the proposed Local Laws available for review by the public at the Town Hall, located at 6100 South Park Avenue, Hamburg, New York 14075.

Attached Documents:

Exhibit A. SEQRA Part 1 of the Full Environmental Assessment Form, as prepared by Andrew Reilly, AICP, of Wendel

Exhibit B. Map of Proposed Zoning Map Amendment, as submitted by Andrew Reilly, AICP, of Wendel

Town Board of the Town of Hamburg
June 12, 2023 Meeting

22. New Position: Assessment Clerk Part-Time

WHEREAS, the Assessing Department has recently lost two long term experienced clerks to retirement. It has been determined upon the hiring of replacements that the Department would benefit from the assistance on a part-time basis of one of the retirees; therefore be it

RESOLVED, that the Town Board approves the creation of a part-time Assessment Clerk position in the Assessing Department; and be it further

RESOLVED, that the Town Board approve the Supervisor to sign section 8 of the PO-17 for the creation of position.

MOVED: R. Hoak

Town Board of the Town of Hamburg
June 12, 2023 Meeting

23. PAF - Youth, Recreation & Senior Services

Be it resolved, that the Town Board approve the termination and hiring of personnel for the Dept. of Youth, Recreation & Senior Services as follows:

Moved: Connolly

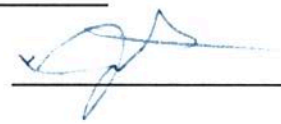
ATTACHMENTS:

Description	Upload Date	Type
PAF 6/12/23	6/8/2023	Cover Memo

TOWN OF HAMBURG - PERSONNEL ACTION FORM

Date of Request: 6/8/23 Department: Youth, Recreation, Senior Services

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Department Head Signature: 

Supervisor Signature _____ Date: _____

TOWN BOARD MEETING OF 6/12/23

PAGE 1 of 2

I request that a Town Board Resolution be adopted approving the following personnel action:

#	Emp #	Employee Name	N or R	Position	Start date	Full time hourly rate	PT/Sea/temp hourly rate	Termination Date
1	5099	Best, Sydney		Rec Attd-EI7265-P/T				6/12/2023
	5099	Best, Sydney	R	Rec Attd-EI7265-Seas.	6/13/23		$14.20	
2	2710	Chaffee, Steven		Rec Attd-A7310-P/T				6/3/2023
	2710	Chaffee, Steven	R	Rec Attd-A7310-Seas.	6/4/23		$17.00	
3	5001	Farrell, Grace	R	Rec Attd-A7310-Seas.	6/13/23		$14.20	
4	5180	Fleming, Caleigh	R	Rec Attd-EI7265-Seas.	6/13/23		$14.20	
5	5107	Geisler, Eric		Rec Attd-EI7265-P/T				6/12/2023
	5107	Geisler, Eric	R	Rec Attd-EI7265-Seas.	6/13/23		$14.20	
6	5077	Gorman, James		Rec Attd-ER7251-Seas.				6/3/2023
	5077	Gorman, James	R	Rec Attd-A7310-Seas.	6/4/23		$14.20	
7	5097	Kelley, Kaitlyn		Rec Attd-EI7265-P/T				6/12/2023
	5097	Kelley, Kaitlyn	R	Rec Attd-EI7265-Seas.	6/13/23		$14.20	
8	4121	Lantzy, Raymond		Van Driver-A6772-Seas.				6/17/2023
	4121	Lantzy, Raymond	R	Van Driver-A7310-P/T	6/18/23		$16.25	
9	4836	MacDonald, Marissa	R	Lifeguard-A7180-Seas.	5/25/23		$17.00	
10	5122	Massey, Morgan		Rec Attd-EI7265-P/T				6/12/2023
	5122	Massey, Morgan	R	Rec Attd-EI7265-Seas.	6/13/23		$14.20	
11	5078	Okie, Brandon		Rec Attd-ER7251-Seas.				6/3/2023
	5078	Okie, Brandon	R	Rec Attd-A7310-Seas.	6/4/23		$14.20	
12	1729	Otremba, Steven	R	Rec Attd-EI7265-Seas.	6/13/23		$17.00	

rev 03/14

TOWN OF HAMBURG - PERSONNEL ACTION FORM

Date of Request: 6/8/23 Department: Youth, Recreation, Senior Services

Department Head Signature: x

Supervisor Signature _____ Date: _____

TOWN BOARD MEETING OF 6/12/23

PAGE 2 of 2

I request that a Town Board Resolution be adopted approving the following personnel action:

#	Emp #	Employee Name	N or R	Position	Start date	Full time hourly rate	PT/Sea/temp hourly rate	Termination Date
13	5114	Pasquarella, Michael		Rec Attd-EI7265-P/T				6/12/2023
	5114	Pasquarella, Michael	R	Rec Attd-EI7265-Seas.	6/13/23		$14.20	
14	5015	Przybysz, Emily		Rec Attd-EI7265-P/T				6/12/2023
	5015	Przybysz, Emily	R	Rec Attd-EI7265-Seas.	6/13/23		$14.20	
15	4843	Przybysz, Rachel		Rec Attd-EI7265-P/T				6/12/2023
	4843	Przybysz, Rachel	R	Rec Attd-EI7265-Seas.	6/13/23		$14.20	
16	4932	Rybczynski, Madeline	R	Rec Attd-EI7265-Seas.	6/13/23		$14.20	
17	3726	Scharlock, Matthew	R	Rec Attd-ER7251-Seas.	6/13/23		$15.25	
18	5093	Schwarzkoff, Emma		Rec Attd-EI7265-P/T				6/12/2023
	5093	Schwarzkoff, Emma	R	Rec Attd-EI7265-Seas.	6/13/23		$14.20	
19	5182	Staffone, Janene		Rec Attd-A6772-P/T				6/3/2023
	5182	Staffone, Janene	R	Rec Attd-A7310-Seas.	6/4/23		$16.00	
20		Dunz, Brandon	N	Rec Attd-A7180-Seas.	6/13/23		$14.20	
21	3356	Lombardo, Kristin	R	Rec Attd-A7310-Seas.	6/13/23		$15.00	
22		Monnin, Riley	N	Rec Attd-EI7265-Seas.	6/13/23		$14.20	

rev 03/14

TOWN OF HAMBURG - PERSONNEL ACTION FORM

Date of Request: _____ Department: Youth, Recreation, Senior Services

Town Board of the Town of Hamburg
June 12, 2023 Meeting

24. Appointment to the full-time provisional position of Assistant Code Enforcement Officer in the Building Inspection Department.

RESOLVED, that the Town Board approve the appointment of Travis Berube to the full-time provisional position of ASSISTANT CODE ENFORCEMENT OFFICER in the Building Inspection Department. This appointment is pending the satisfactory outcome of pre-employment testing and is effective in June of 2023, exact date tbd; rate of pay is $33.53 per hour, funds are available in A3620.100.

Moved: Comerford

Town Board of the Town of Hamburg
June 12, 2023 Meeting

25. Appointment to the full-time provisional position of Assistant Code Enforcement Officer in the Building Inspection Department

RESOLVED, that the Town Board approve the appointment of Scott Courteau to the full-time provisional position of ASSISTANT CODE ENFORCEMENT OFFICER in the Building Inspection Department. This appointment is pending the satisfactory outcome of pre-employment testing and is effective June 19, 2023; rate of pay is $33.53 per hour, funds are available in A3620.100.

Moved: Comerford

Town Board of the Town of Hamburg
June 12, 2023 Meeting

26. Planning Board Appointment

BE IT RESOLVED that the Town Board appoints Kaitlin Chmura to the Town of Hamburg Planning Board position vacated by Jeb Bobseine. Term is June 13, 2023, through December 31, 2026.

MOVED: R. HOAK

Town Board of the Town of Hamburg
June 12, 2023 Meeting

27. Public Hearing Resolution - American Rescue Plan Act Funds Allocation

WHEREAS, on March 11, 2021, President Biden signed the American Rescue Plan Act (ARPA), which provides financial support to local governments to recover from the impacts of the COVID-19 pandemic; and

WHEREAS, the Town of Hamburg received $11.5 MILLION in ARPA funds to allocate in accordance with ARPA guidelines; and

WHEREAS, the Hamburg Town Board has identified qualifying projects within the Town that will serve to improve the quality of life and safety of Hamburg residents; and

WHEREAS, the Town Board of the Town of Hamburg proposes to allocate $2 MILLION in ARPA funding as follows:

- $ 1 MILLION for Parks, Playgrounds and Open Spaces
  - Funds would be used to improve five parks, starting with Osborne Park

- $ 600,000 for Town Hall Safety and Improvements
  - Funds would be used to improve building safety, wayfinding, and accessibility at Town Hall

- $ 250,000 for Volunteer Fire and Emergency Medical Services (EMS)
  - Funds would be used to support our volunteer fire and EMS organizations

- $ 150,000 for Community and Homeowner Association Grants
  - Homeowner Associations and other residence-based entities would be eligible to apply for beautification and infrastructure grants

NOW THEREFORE BE IT RESOLVED the Town Board hereby schedules a public hearing on the proposed ARPA allocation for June 26, 2023, at 7:00 p.m., to be held at the Town of Hamburg Town Hall, located at 6100 South Park Avenue, Hamburg, New York 14075. The Town Board directs the Town Clerk to provide notice to the public of the public hearing in accordance with the requirements set forth in the New York State Municipal Home Rule Law.

MOVED: R. HOAK

Town Board of the Town of Hamburg
June 12, 2023 Meeting

28. PERMANENT POW/MIA FLAG AT HAMBURG TOWN HALL

WHEREAS, the Town of Hamburg has a long history of partnership and collaboration with our Veteran's groups and organizations; and

WHEREAS, the Town of Hamburg relies on Veterans and Veteran's organizations as stewards of history, both written and oral; and

WHEREAS, the POW/MIA flag is of special significance to the Veterans of Foreign Wars, especially Veterans who served in Southeast Asia during the Vietnam Conflict; and

WHEREAS, on June 8th, 2023, the number of Americans missing and unaccounted-for from the Vietnam War is 1,579; and

WHEREAS, Mrs. Michael Hoff, MIA wife and active member of the National League of POW/MIA families, recognized the need for a symbol of our POW/MIA, took action to have a POW/MIA flag designed and produced for wide distribution; and

WHEREAS, on August 10, 1990, the 101st Congress passed public law 101-355, which recognized the Leagues POW/MIA flag and designated it "the symbol of our Nation's concern and commitment to resolving as fully as possible the fates of Americans still prisoner, missing, and unaccounted for in Southeast Asia, thus ending the uncertainty for their families and the Nation"; and

WHEREAS, the National League of POW/MIA families in June of 2001, voted overwhelmingly in favor of the following resolution: "Be it RESOLVED that the National League of POW/MIA Families strongly recommends that state and municipal entities fly the POW/MIA flag daily to demonstrate continuing commitment to the goal of the fullest possible accounting of all personnel not yet returned to American soil."

NOW, THEREFORE, BE IT RESOLVED, the Town of Hamburg will fly the POW/MIA flag in its rightful place under the American flag seven days a week and three hundred and sixty five days each year in recognition and gratitude of all soldiers whose fates are yet unaccounted for and in hopes that one day comfort and truth will be delivered to their families, loved ones, and their fellow Americans that they bravely fought to protect.

MOVED: R. HOAK