

FEBRUARY 2, 2026

The Regular Meeting of the Board of Trustees of the Village of Hamburg was called to order by Mayor Thomas P. Tallman at 7:00 p.m. on Monday, February 2, 2026 at the Village Hall, 100 Main Street, Hamburg, New York.

PRESENT:	Thomas P. Tallman	Mayor
	Paul Gaughan	Deputy Mayor
	Laura Hackathorn	Trustee
	Holly Park	Trustee
	Jeff Davis	Trustee
	Edward J. Murphy, III	Village Attorney
	Jason Cozza	Administrator/Clerk-Treasurer
	Mary McKee	Deputy Clerk
	Marc Shuttleworth	Supt. of Public Works
	Joshua Haeick	Recreation Supervisor
	Richard Schara	Police Chief

**** PUBLIC HEARING RE: LOCAL LAW #1 OF 2026 TO OVERRIDE THE TAX CAP ****

Mayor Tallman opened the public hearing at 7:01 p.m. Following the reading of the legal notice, the Mayor asked three times if there was anyone who wanted to speak in favor of the proposed local law. The Mayor then asked three times if anyone wanted to speak against the proposed local law. Hearing nothing further and receiving no correspondence in this matter, the hearing was closed at 7:03 p.m.

1. **MOTION** by Trustee Hackathorn, seconded by Trustee Davis, to approve the minutes of the Regular Meeting of the Board of Trustees held on Tuesday, January 20, 2026.

AYES: Five
NAYS: None
CARRIED

PUBLIC EXPRESSION: *None this evening.*

CORRESPONDENCE: *None this evening.*

TRUSTEE MOTIONS:

2. **MOTION** by Trustee Hackathorn, seconded by Trustee Davis, to increase the budget of A.3003 County Aid and 7310.402 Recreation Other Expense in the amount of \$10,000.00. This money was received from Erie County for 2025 Prime Time Funding.

AYES: Five
NAYS: None
CARRIED

3. **MOTION** by Trustee Hackathorn, seconded by Trustee Davis, to transfer \$7,297.20 from Police Equipment Reserve A.0878 to Police Office Equipment A.3120.230 for the outfit of a 2026 Dodge Durango police vehicle in the Village Police Department.

AYES: Five
NAYS: None
CARRIED

4. **MOTION** by Trustee Hackathorn, seconded by Trustee Davis, to authorize a budget amendment to transfer \$6,000 from A.1325.445 Consultant (\$MGT) to A.1910.400 Unallocated Insurance. This amount is needed to cover projected insurance costs for the remainder of the fiscal year.

AYES: Five
NAYS: None
CARRIED

5. **MOTION** by Trustee Hackathorn, seconded by Trustee Davis, to authorize a budget amendment to transfer \$3,200 from A.1325.445 Consultant (\$MGT) to A.9010.800 Retirement. This amount is needed to cover actual retirement costs incurred in this fiscal year.

AYES: Five
NAYS: None
CARRIED

6. **MOTION** by Trustee Hackathorn, seconded by Trustee Davis, to authorize a budget amendment to transfer \$700 from A.1325.445 Consultant (\$MGT) to A.7274.402 Hamburg Holidays.

AYES: Five
NAYS: None
CARRIED

7. **MOTION** by Deputy Mayor Gaughan, seconded by Trustee Park, to hold a public hearing on Monday, March 2, 2026 at 7:00 p.m. at Village Hall, 100 Main Street, Hamburg, NY to take and hear comments relative to the Tentative 2026-2027 Budget as proposed by the Board of Trustees of the Village of Hamburg. A copy of the proposed tentative budget will be available in the Clerk-Treasurer's Office, 100 Main Street, Hamburg, NY, Monday thru Friday between the hours of 8:30 a.m. – 4:30 p.m. beginning Friday, February 20, 2026.

AYES: Five
NAYS: None
CARRIED

8. **MOTION** by Trustee Park, seconded by Deputy Mayor Gaughan, to authorize Mayor Thomas P. Tallman to sign an agreement between the Village of Hamburg and Tyler Technologies to participate in the company's *Reference Program*, providing the village with additional training opportunities and collaboration with other program users.

AYES: Five
NAYS: None
CARRIED

9. **MOTION** by Trustee Park, seconded by Deputy Mayor Gaughan, to appoint Lynn Kieber as Chairperson of the Election Inspectors; Susan Vanhooser, Sarah Takas, and Cristina Gegenschatz as Election Inspectors and Greg Gibbs and David Evans as Alternate Election Inspectors for the Village Election to be held on Wednesday, March 18, 2026.

AYES: Five
NAYS: None
CARRIED

FEBRUARY 2, 2026

10. **MOTION** by Trustee Davis, seconded by Trustee Hackathorn, that Mary Salerno, having been appointed to the position of Account Clerk-Typist in the Police Department, as per the NYS Department of Civil Service HELPS program, effective December 1, 2025, with a probationary period of two months, and Mary Salerno having completed such probationary term in a satisfactory matter:

Mary Salerno is hereby accorded permanent status in the position of Account Clerk-Typist in the Police Department effective February 1, 2026.

AYES: Five
NAYS: None
CARRIED

11. **MOTION** by Trustee Hackathorn, seconded by Trustee Davis, to authorize the payment of the Village of Hamburg Accounts for the period ending February 2, 2026.

GENERAL FUND.....	\$234,351.29
CAPITAL FUND	189,777.95
TRUST & AGENCY FUND.....	<u>196,074.20</u>
TOTAL ALL FUNDS	\$620,203.44

AYES: Five
NAYS: None
CARRIED

12. **MOTION** by Trustee Davis, seconded by Trustee Hackathorn,

WHEREAS, the Village of Hamburg Board of Trustees received an application for a special use permit dated December 16, 2025 from business owner Jarod Miller on behalf of Hounds and Hops and property owner Clyde Millspaugh Irrevocable Trust, to operate a bar/restaurant on property located at 351 Union Street; and

WHEREAS, the subject property is located in the Mixed-Use Redevelopment (MU-R) Zone, and the proposed use is by special permit only, as set forth in Sec. 250-22.4 of the Zoning Code, and an application for a special use permit must be made to the Village Board of Trustees, pursuant to Sec. 250-43.2(C) of the Zoning Code; and

WHEREAS, the Village Board properly noticed and held a public hearing on January 20, 2026 regarding the application for a special use permit, where the Village Board listened to and took public comment regarding said application; and

WHEREAS, the Village Board solicited and received a response from the County of Erie Division of Planning on January 28, 2026. The response contained no recommendation, finding that the matter is of local concern. Furthermore, the Erie County Department of Public Works indicated no concerns; and

WHEREAS, the Village Board reviewed the applicant's submissions including the application, a narrative of the proposed use which included description of the proposed use, proposed staffing, hours of operation, floor plan and pictures and a map of the property, and

WHEREAS, the Village Board has reviewed said application in conjunction with the review considerations set forth in Sec. 250-43.5 of the Zoning Code, and makes the following findings:

1. The proposed use does conform to the Village of Hamburg's Comprehensive Plan. The proposed use does conform to the district's requirements.
2. The proposed use is compatible with other uses in the district and in the area and the proposed use will not create any unwanted or hazardous conditions.

NOW, THEREFORE BE IT RESOLVED, that after due deliberation, the Village Board of Trustees grants the application for a special use permit as submitted by the applicant for the reasons set forth in the Findings above, with the following restrictions:

1. The special use permit is limited to the 60' x 18' building addition located on the southern portion of the premises
2. Hours of operation may not exceed 10 p.m.

AYES: Five

NAYS: None

CARRIED

STAFF REPORTS:

Police Dept.: *Nothing to report this evening.*

Department of Public Works: *DPW Superintendent Marc Shuttleworth said they are continuing to work on clearing sidewalks and removing snow from intersections. He noted that property owners are ultimately responsible for the sidewalks and asked residents to make every effort to help keep them clear.*

Recreation Dept.: *Recreation Supervisor Josh Haeick announced that the Village of Hamburg Community Foundation will be holding their quarterly meeting tonight following the board meeting. Josh said there are a lot of initiatives coming through the Foundation that will continue to provide a better quality of life in the village. Mayor Tallman thanked the foundation for all they do.*

FURTHER PUBLIC EXPRESSION: *None this evening.*

MAYOR'S REPORT: *Mayor Tallman reminded everyone that Valentine's Day is coming up and also urged everyone to be safe in the winter weather and use caution when driving in and around the village, especially at the intersections.*

The next Work Session of the Board of Trustees will be held at 5:30 p.m. on Tuesday, February 17, 2026. The next Regular Meeting of the Board will be held at 7:00 p.m. on Tuesday, February 17, 2026. These meetings are open to the press and public.

Mayor Tallman said the Board of Trustees will now hold a hearing regarding property at 50 Lake Street. Property owner Mark Wierzbicki was also in attendance.

Building Inspector/Code Enforcement Officer Dave Rice said he was alerted about the unsafe conditions at 50 Lake Street and after assessing the property, submitted a report to the Village Board deeming it dangerous/unsafe. The owner of the property is aware of the deficiencies and indicated that he is committed to repairing the building and submitted a list of contractors that he hopes to be working with. Mr. Wierzbicki said he said he would like to hire a design professional to do an analysis of the entire building and then address the other deficiencies in the report. He has spoken with Dean Architects, noting that it is tough to get other contractors right now, although he has been in contact with some. Mr. Wierzbicki said he understands that the building is "out of plumb," among other things, but intends to proceed with fixing

the building. Discussion ensued regarding the basement issues and Mr. Wierzbicki said he would like to get a structural engineer in there to assess the building from back to front. He believes the front and back of the building were built as two structures and “stitched together,” and from what he has seen, it looks like part may have been built in the early to mid-1800’s and another portion in the latter part of that century. Mr. Wierzbicki went on to discuss additional details of the building, acknowledging that that are a number of things he will have to do in order to make the building safe (and habitable) again.

Mayor Tallman asked about a time frame, noting that after a structural engineer has had a chance to assess the building, Mr. Wierzbicki should be able to establish a time frame.

Village Administrator Jason Cozza said that the Village Code allows for 60 days to complete the work after the notice of dangerous building was given in January. He said that Mr. Wierzbicki will need to work with Building Inspector Dave Rice and report back to the Board, which meets every other week, on the progress he has made. The next meeting is Tuesday, February 17th, and the Board would like the first report by then. Mr. Wierzbicki asked about getting a permit for the engineers to be able to dig around the property for the assessment. Dave said he would issue the permit and they should come see him for that.

The hearing and the meeting were adjourned at 7:35 p.m.

Respectfully submitted,

Mary McKee

Mary McKee
Deputy Clerk