

April 13, 2026 Town Board Meeting Hamburg, New York

1. Roll Call

Councilmember Kozub - present
Councilmember Bogulski - present
Town Supervisor Farrell Lorentz - present
Councilmember Dixon - present
Councilmember Ortiz - present

AGENDA

1. Roll Call
2. Pledge of Allegiance
3. Minutes of Previous Meeting
4. Agenda Items
 - 4.1 Blasdell Volunteer Fire Department
 - 4.2 Zoning Board of Appeals Alternate Member Appointment
 - 4.3 Approve Buffalo Niagara Waterkeeper annual spring sweep
 - 4.4 Town of Hamburg EBO
 - 4.5 Out of Town Travel Request - Police / Dog Control Officer
 - 4.6 Police - Out of Town Travel Request
 - 4.7 Authorize Out of Town travel for Emergency Manager utilizing Town Vehicle
 - 4.8 Annual Grass Cutting Bid
 - 4.9 POLICE –Budget Amendment
 - 4.1 ~~B~~ & G PAF
 - 4.1 Youth, Recreation, & Senior Services P.A.F.
 - 4.1 Town Clerk's Office PAF
 - 4.1 Engineering Department PAF
 - 4.1 ~~B~~udget Amendment - JCAP Grant
 - 4.1 New Audio System at Town of Hamburg Arena Bids
 - 4.1 ~~D~~og Shelter Lease Agreement Addendum
 - 4.1 ~~A~~rticle LX Smoke Shops and Vape Shops SEQR Resolution
 - 4.1 ~~A~~rticle LX Smoke Shops and Vape Shops Adoption Resolution
 - 4.1 ~~N~~ike Concession and Bathroom National Grid Service
 - 4.2 ~~M~~cKinley Sidewalk Extension Engineering Design
 - 4.2 West Arnold Archeological Phase 1B Study
 - 4.2 ~~S~~W Blvd and Big Tree Road Traveler Center Rezoning SEQR Resolution
 - 4.2 ~~S~~W Blvd and Big Tree Road Traveler Center Rezoning Approval Resolution
 - 4.2 ~~B~~udget Amendment
 - 4.2 ~~I~~ce Arena Pro-Shop and Concession Stand RFP
 - B&G Olympia Ice Resurface Machine
 - LOCAL LAW NO. _____ OF 2026 ENACTING A TEMPORARY MORATORIUM ON ALL BATTERY ENERGY STORAGE SYSTEM (BESS) FACILITIES AND TIER 2 AND TIER 3 SOLAR ENERGY SYSTEMS IN THE TOWN OF HAMBURG
 - Audits
5. Public Comment
6. Meeting is adjourned by Supervisor

On a motion of Elizabeth Farrell Lorentz, seconded by Daniel Kozub, the following resolution was

**ADOPTED Ayes 0
 Nays 0
 Abstain 0**

Open meeting 7:03 pm

2. Pledge of Allegiance

3. Minutes of Previous Meeting

RESOLVED, that the Town Board does hereby approve the minutes of the previous meeting as follows: March 23,2026

On a motion of Daniel Kozub, seconded by Lynn Dixon, the following resolution was

**Ayes 5 Kozub, Bogulski, Farrell Lorentz, Dixon, Ortiz
Nays 0
Abstain 0**

4. Agenda Items

4.1. Blasdell Volunteer Fire Department

On a motion of Daniel Kozub, seconded by Nick Ortiz, the following resolution was

**ADOPTED Ayes 5 Kozub, Bogulski, Farrell Lorentz, Dixon, Ortiz
 Nays 0
 Abstain 0**

4.2. Zoning Board of Appeals Alternate Member Appointment

On a motion of Daniel Kozub, seconded by Lynn Dixon, the following resolution was

**ADOPTED Ayes 5 Kozub, Bogulski, Farrell Lorentz, Dixon, Ortiz
 Nays 0
 Abstain 0**

4.3. Approve Buffalo Niagara Waterkeeper annual spring sweep

On a motion of Daniel Kozub, seconded by Frank Bogulski, the following resolution was

**ADOPTED Ayes 5 Kozub, Bogulski, Farrell Lorentz, Dixon, Ortiz
 Nays 0
 Abstain 0**

4.4. Town of Hamburg EBO

On a motion of Daniel Kozub, seconded by Lynn Dixon, the following resolution was

**ADOPTED Ayes 5 Kozub, Bogulski, Farrell Lorentz, Dixon, Ortiz
 Nays 0
 Abstain 0**

4.5. Out of Town Travel Request - Police / Dog Control Officer

On a motion of Lynn Dixon, seconded by Nick Ortiz, the following resolution was
ADOPTED Ayes 5 Kozub, Bogulski, Farrell Lorentz, Dixon, Ortiz
Nays 0
Abstain 0

4.6. Police - Out of Town Travel Request

On a motion of Lynn Dixon, seconded by Nick Ortiz, the following resolution was
Approved Ayes 5 Kozub, Bogulski, Farrell Lorentz, Dixon, Ortiz
Nays 0
Abstain 0

4.7. Authorize Out of Town travel for Emergency Manager utilizing Town Vehicle

On a motion of Lynn Dixon, seconded by Nick Ortiz, the following resolution was
Approved Ayes 5 Kozub, Bogulski, Farrell Lorentz, Dixon, Ortiz
Nays 0
Abstain 0

4.8. Annual Grass Cutting Bid

On a motion of Lynn Dixon, seconded by Daniel Kozub, the following resolution was
Approved Ayes 5 Kozub, Bogulski, Farrell Lorentz, Dixon, Ortiz
Nays 0
Abstain 0

4.9. POLICE –Budget Amendment

On a motion of Daniel Kozub, seconded by Lynn Dixon, the following resolution was
Approved Ayes 5 Kozub, Bogulski, Farrell Lorentz, Dixon, Ortiz
Nays 0
Abstain 0

4.10.B&G PAF

On a motion of Daniel Kozub, seconded by Nick Ortiz, the following PFA was
Approved Ayes 5 Kozub, Bogulski, Farrell Lorentz, Dixon, Ortiz
Nays 0
Abstain 0

4.11.Youth, Recreation, & Senior Services P.A.F.

On a motion of Frank Bogulski, seconded by Daniel Kozub, the following PFA was
Approved Ayes 5 Kozub, Bogulski, Farrell Lorentz, Dixon, Ortiz
Nays 0
Abstain 0

4.12.Town Clerk's Office PAF

On a motion of Daniel Kozub, seconded by Frank Bogulski, the following PFA was
Approved Ayes 5 Kozub, Bogulski, Farrell Lorentz, Dixon, Ortiz
Nays 0
Abstain 0

4.13.Engineering Department PAF

On a motion of Daniel Kozub, seconded by Lynn Dixon, the following PFA was
Approved Ayes 5 Kozub, Bogulski, Farrell Lorentz, Dixon, Ortiz
Nays 0

Abstain 0

4.14. Budget Amendment - JCAP Grant

**On a motion of Daniel Kozub, seconded by Lynn Dixon, the following resolution was Approved Ayes 5 Kozub, Bogulski, Farrell Lorentz, Dixon, Ortiz
Nays 0
Abstain 0**

4.15. New Audio System at Town of Hamburg Arena Bids

**On a motion of Frank Bogulski, seconded by Daniel Kozub, the following resolution was Approved Ayes 5 Kozub, Bogulski, Farrell Lorentz, Dixon, Ortiz
Nays 0
Abstain 0**

4.16. Dog Shelter Lease Agreement Addendum

**On a motion of Daniel Kozub, seconded by Lynn Dixon, the following contract was Approved Ayes 5 Kozub, Bogulski, Farrell Lorentz, Dixon, Ortiz
Nays 0
Abstain 0**

4.17. Article LX Smoke Shops and Vape Shops SEQR Resolution

**On a motion of Daniel Kozub, seconded by Elizabeth Farrell Lorentz, the following resolution was ADOPTED Ayes 5 Kozub, Bogulski, Farrell Lorentz, Dixon, Ortiz
Nays 0
Abstain 0**

4.18. Article LX Smoke Shops and Vape Shops Adoption Resolution

**On a motion of Elizabeth Farrell Lorentz, seconded by Daniel Kozub, the following resolution was ADOPTED Ayes 5 Kozub, Bogulski, Farrell Lorentz, Dixon, Ortiz
Nays 0
Abstain 0**

Struck from the attachment-Article 280-431 sub section E

4.19. Nike Concession and Bathroom National Grid Service

**On a motion of Daniel Kozub, seconded by Nick Ortiz, the following resolution was ADOPTED Ayes 5 Kozub, Bogulski, Farrell Lorentz, Dixon, Ortiz
Nays 0
Abstain 0**

4.20. McKinley Sidewalk Extension Engineering Design

**On a motion of Lynn Dixon, seconded by Daniel Kozub, the following resolution was ADOPTED Ayes 5 Kozub, Bogulski, Farrell Lorentz, Dixon, Ortiz
Nays 0
Abstain 0**

4.21. West Arnold Archeological Phase 1B Study

On a motion of Elizabeth Farrell Lorentz, seconded by Daniel Kozub, the following resolution was ADOPTED Ayes 5 Kozub, Bogulski, Farrell Lorentz, Dixon, Ortiz

Nays 0
Abstain 0

4.22.SW Blvd and Big Tree Road Traveler Center Rezoning SEQR Resolution

On a motion of Elizabeth Farrell Lorentz, the following resolution was

Withdrawn **Ayes 0**
 Nays 0
 Abstain 0

Tabled till the April 27,2026 Town Board Meeting

4.23.SW Blvd and Big Tree Road Traveler Center Rezoning Approval Resolution

On a motion of Elizabeth Farrell Lorentz, the following resolution was

Withdrawn **Ayes 0**
 Nays 0
 Abstain 0

Tabled to April 27, 2026 Town Board Meeting

4.24.Budget Amendment

On a motion of Lynn Dixon, seconded by Daniel Kozub, the following resolution was

ADOPTED **Ayes 5** **Kozub, Bogulski, Farrell Lorentz, Dixon, Ortiz**
 Nays 0
 Abstain 0

4.25.Ice Arena Pro-Shop and Concession Stand RFP

On a motion of Daniel Kozub, seconded by Nick Ortiz, the following resolution was

ADOPTED **Ayes 5** **Kozub, Bogulski, Farrell Lorentz, Dixon, Ortiz**
 Nays 0
 Abstain 0

B&G Olympia Ice Resurface Machine

BE IT RESOLVED, that the Town Board approves the purchase of one (1) Olympia Ice Resurface Machine for the amount of \$130,778.00, after trade-in, from CTM Services, Inc. (Sole Source). Purchase is on a lease-to-own basis with one down payment of \$27,817.80 and four (4) additional annual payments. Funds available in account A.1640.201 and A.7185.413 to be transferred to A.7141.478.

LOCAL LAW NO. _____ OF 2026 ENACTING A TEMPORARY MORATORIUM ON ALL BATTERY ENERGY STORAGE SYSTEM (BESS) FACILITIES AND TIER 2 AND TIER 3 SOLAR ENERGY SYSTEMS IN THE TOWN OF HAMBURG

WHEREAS, the Hamburg Town Board finds and hereby determines that the State of New York is currently experiencing significant new development of solar energy systems and continues to receive more interest for additional development of solar energy systems. In addition, battery energy storage systems, particularly for energy generated via solar facilities, have also received significant interest; and WHEREAS, the Hamburg Town Board further finds that solar energy systems and battery energy storage systems present unique land use, safety, and operational considerations, including but not limited to site design, stormwater management, screening, decommissioning, and coordination with local agencies; and WHEREAS, the Town Board finds it imperative that the Town undertake a thorough examination of these systems to identify any possible threats to public health, safety and welfare as well as evaluate the potential for environmental degradation; and WHEREAS, it is essential for the Town of Hamburg to enact a temporary moratorium to carefully evaluate the implications of Tier 2 and Tier 3 solar energy systems and battery energy storage systems and assess how they may impact the Town, its

residents, and its fire prevention infrastructure; and WHEREAS, the Code Review Committee has recommended that the Codes currently regulating solar energy systems and battery energy storage systems be amended and updated; and WHEREAS, the Code Review Committee needs time to update these regulations, and is recommending that the Town of Hamburg adopt a moratorium while these Codes are being updated; and WHEREAS, the Town has introduced the following proposed Local Law, entitled “Local Law to Establish a Temporary Moratorium on All Battery Energy Storage System (BESS) Facilities and Tier 2 and Tier 3 Solar Energy Systems in the Town of Hamburg” and presented a copy to each member of the Board, which reads as follows: Be it enacted by the Town Board of the Town of Hamburg as follows: SECTION I. TITLE This Local Law shall be entitled “Local Law to Establish a Temporary Moratorium on All Battery Energy Storage System (BESS) Facilities and Tier 2 and Tier 3 Solar Energy Systems in the Town of Hamburg” SECTION II. PURPOSE AND INTENT The purpose of this local law is to enact a moratorium in the Town of Hamburg in order to temporarily halt for a period of twelve months the development of new Tier 2 and Tier 3 solar energy systems and all battery energy storage systems, while the Town of Hamburg examines and studies the impacts of the development of Tier 2 and Tier 3 solar energy systems and battery energy storage systems, and develops and adopts local legislation to regulate such facilities. SECTION III. AMENDMENT OF PRIOR LAW Chapter 280 of the Code of the Town of Hamburg is further amended as follows: Chapter 280 is amended to add a new Â§280-385.1 and Â§280-397.1 which shall read as follows: “For the period commencing on the effective date of this Local Law and for twelve months thereafter, there shall be a moratorium on the processing, approval, and/or construction of new Tier 2 and Tier 3 solar energy systems and all battery energy storage systems within the Town of Hamburg. During this moratorium, the Code Review Committee, led by the Planning Department, will draft new regulations to the solar law and the battery energy storage systems law for presentation to the Town Board for potential adoption, and periodic reports on the drafting of these regulations will be given to the Town Board to illustrate progress and to receive input from the Town Board”. SECTION IV. LEGISLATIVE FINDINGS The Hamburg Town Board finds and hereby determines that the State of New York is currently experiencing significant new development of solar energy systems and continues to receive more interest for additional development of solar energy systems. In addition, battery energy storage systems, particularly for energy generated via solar facilities, have also received significant interest. The Hamburg Town Board further finds that solar energy systems and battery energy storage systems present unique land use, safety, and operational considerations, including but not limited to site design, stormwater management, screening, decommissioning, and coordination with local agencies. The Town has noted the popularity of new solar facilities in New York as well as the interest in battery storage and would like to examine the potential impacts thereof in the Town of Hamburg, as well as develop and adopt amendments to existing local legislation to regulate solar energy systems and battery energy storage systems. The Town currently has a solar law, adopted in 2020, and a battery energy storage systems law, adopted in 2021, and recognizes that these industries have rapidly changed in terms of technology and permitting, and seeks to modernize these existing laws. The Town Board further determines that the unsuitable location of such facilities, the absence of proper dimensional and performance standards, and the lack of clearly established requirements could result in materially adverse and potentially irreversible impacts upon neighboring properties and the Town as a whole The Town Board finds that any development of solar energy systems and battery energy storage systems should be prohibited for a temporary period of time until completion of said law amendments in order to protect the health, safety and welfare of the Town of Hamburg, including to better promote community planning and development values in the context of the rapidly changing technology and industry of solar energy systems and battery energy storage. During the pendency of the moratorium, the Town Board will consider how best to permit such solar energy systems and battery energy storage systems so as to harmoniously

integrate such facilities within the existing community, pursuant to the Town's 2023 approved update to the Comprehensive Plan. SECTION V. APPLICABILITY For a period of twelve (12) months from the effective date of this Local Law, no applications shall be accepted or considered by the Town of Hamburg for any battery energy storage systems, or Tier 2 and Tier 3 solar energy systems. This Local Law shall be binding upon the Town Board, Planning Board, Zoning Board of Appeals, Building Inspectors, all Town officials and employees, and any applicant or real property owner within the Town of Hamburg seeking any permit, certificate of occupancy, or approval. SECTION VI. TERM This moratorium shall be in effect for a period of twelve (12) months from its effective date. This term may be extended by one (1) additional period of up to six (6) months by resolution of the Town Board upon a finding of the necessity for such extension. SECTION VII. HARDSHIP AND APPEALS PROVISIONS Should any owner of property affected by this Local Law suffer any unnecessary hardship in the way of carrying out the strict letter of this Local Law, then the owner of said property may apply to the Town Board in writing for a waiver from strict compliance with this Local Law upon submission of proof of such necessary hardship. Mere delay in being permitted to make an application or waiting for a decision on the application for site plan, variance, or other permit during the period of the moratorium imposed by this Local Law shall not be considered an unnecessary hardship. Any application for a variance or waiver shall be filed with the Town of Hamburg Town Clerk and shall include a fee as determined by resolution of the Hamburg Town Board for the processing of such application. Upon submission of a written application to the Town Clerk by the property owner seeking a waiver from this Local Law, the Town Board shall, within thirty (30) days of receipt of said application, schedule a public hearing on said application upon five (5) days written notice in the official newspaper of the Town. The Town Board, within forty-five (45) days of the close of the public hearing, shall render its decision either granting or denying the application for variation from the strict requirements of this Local Law. If the Town Board determines that a property owner will suffer an unnecessary hardship if this Local Law is strictly applied to a particular property, then the Town Board shall waive the application of this Local Law to the minimum extent necessary to provide the property owner relief from strict compliance with this Local Law. SECTION VIII. SUPERSESSON All local laws, ordinances, or parts of local laws and ordinances of the Town of Hamburg that are in conflict with the provisions of this Local Law are hereby suspended to the extent necessary to give this Local Law full force and effect during the effective period of the moratorium. SECTION IX. SEVERABILITY The invalidity of any word, section, clause, paragraph, sentence, part or provision of this Local Law shall not affect the validity of any other part of this Local Law which can be given effect without such invalid part or parts. SECTION X. EFFECTIVE DATE This Local Law shall take effect immediately upon its filing with the Secretary of State in accordance with the Municipal Home Rule Law. SECTION XI. GRANDFATHER CLAUSE The enactment of this moratorium will affect any new application received on or after April 13, 2026. Any application received prior to this date will be "grandfathered" from this moratorium and will be processed under the existing regulations. Any application received on or after this date will not be processed, and no approvals or permits will be issued. NOW, THEREFORE BE IT RESOLVED, that a hearing before the Town Board of the Town of Hamburg, in the County of Erie shall be held at the Town Hall, S-6100 South Park Avenue, Hamburg, New York at 7:00 p.m. on the 4th day of May, 2026, for the purpose of hearing all persons interested in the proposed Local Law; and an appropriate notice of such public hearing shall be published for this purpose. BE IT FURTHER RESOLVED, that the Town Clerk is to make copies of the proposed Local Law, entitled "A Local Law to Establish a Temporary Moratorium on All Battery Energy Storage System (BESS) Facilities and Tier 2 and Tier 3 Solar Energy Systems in the Town of Hamburg", available at her office for inspection and distribution to any interested person during business hours. BE IT FURTHER RESOLVED, that Hamburg Town Board hereby entertains this proposed local law and authorizes the 239-m referral of this proposed local law to Erie County for their

input, and authorizes the required notifications and referrals for this action

Audits

Town Board Audit of Cash Disbursements-ARPA 3,923.37 Town Board Audit of Cash

Disbursements 1,748,143.10

5. Public Comment

On a motion of Elizabeth Farrell Lorentz, the following resolution was

Ayes 0

Nays 0

Abstain 0

Public that spoke:

Diana Patton-on eaglecrest mobile home park

Gary Walters-on eaglecrest mobile home park

Alan Haungs (Unite 4 Freedom)-presented a resolution to the Town Board about a Legally Valid 2026 General Election

Laura Podkulski-repair playground by Wilson and Tomaka Drive

6. Meeting is adjourned by Supervisor

On a motion of Elizabeth Farrell Lorentz, seconded by Daniel Kozub, the following resolution was

ADOPTED

Ayes 5

Kozub, Bogulski, Farrell Lorentz, Dixon, Ortiz

Nays 0

Abstain 0

Close meeting 8:12pm