

**ITEM # 1:**

The meeting was called to order by Planning Board Chairman Lawrence J. Kelly, Jr., at 7:00 p.m.

**ITEM #2: Roll Call**

**Present:**

Lawrence J. Kelly, Jr., Chairman  
George Donhauser  
Bruce Luno  
James Jozwiak  
Joseph Edbauer  
Julie Zybert  
Karl R. Lux

**Also Present:**

Darlene Schweikert  
Clyde Drake, Supervisor  
Chandler Edbauer

**ITEM #3: Citizen Participation**

There was no one for Citizen Participation.

**ITEM #4: Approval of Minutes**

a) September 4, 2018 – B. Luno made the motion, seconded by J. Jozwiak, to approve the Minutes as presented. All in favor. Carried.

**ITEM #5: Business from the Members**

a) Supervisor Drake asked Chairman Kelly to add to the Agenda reviewing of the Solicitor's Permit Application process and form. This information was provided to the members prior to the meeting for their review. Charter One/Spectrum would like to begin soliciting in the Town and have had initial discussion with CEO Singleton. Our current application states that the license would be valid for a one-year period beginning March 1<sup>st</sup> and expiring the last day of February.

J. Edbauer noted that our application is lacking in some areas; does not require a background check. J. Edbauer brought with him copies of the Hamburg and Lackawanna forms.

K. Lux found some wording changes that should be corrected:

Requirements page

Requirement #1 the word "permit" should be changed to "Solicitor's" application.

Requirement #3 after Code Enforcement Officer put “(CEO)” for consistency purposes.

Requirement #4 Code Enforcement Officer should be changed to “CEO”

Requirement #5 fourth line, after the word “persons” add “or employees”

Last line, after the word “person”, add “or employees”

Requirement #6 the license should be valid for a one-year period beginning on the “date of issuance”. K. Lux would like that change.

There was discussion about the expiration of the Solicitor’s Application. Members not sure why it was March 1<sup>st</sup> to the last day of February. G. Donhauser thought that the reason could have been so that all the licenses expired at the same time to make it easier for the CEO to keep track. The Town has not had an application for several years. After discussion about the expiration date, K. Lux made the motion, seconded by J. Jozwiak, to record to the Town Board that the Solicitor’s Application be modified so it is valid for a one-year period beginning on the date of issuance. All in favor. Carried.

Solicitor’s Application page

The members feel that a copy of the applicant’s driver’s license should be attached to the Application as well as a description of the vehicles that would be used. J. Zybert stated that our form should also have telephone numbers or a customer service number if it is a company.

Page 2 Requirement #3 should be deleted. The application fee should be paid at the time of submission.

Discussion about fingerprinting. Hamburg’s form states that it is a NYS Law that the applicant be fingerprinted. Supervisor Drake asked Darlene to check with Hamburg to see what processed they used when the permit was issued to Charter One/Spectrum in their town.

Discussion about approval or denial of the Application being the responsibility of the CEO. The members also questioned what an applicant would do if their Application was denied by the CEO. It was agreed that the applicant would have to take their appeal to the Town Board.

**ITEM #6: Motion of Adjourn**

K. Lux made the motion, seconded by J. Jozwiak, to adjourn the meeting at approximately 7:25 p.m. All in favor. Carried.

  
\_\_\_\_\_  
Darlene G. Schweikert  
Planning Board Secretary

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Planning Board follow-up:

Planning Board Secretary Schweikert called the Town of Hamburg regarding their Solicitor's Permit process. In each case, the applicant must follow the rules on their forms. No exceptions. I have attached their Solicitor's Permit form to the Minutes.

The Town of Hamburg takes the applicant's picture and makes a photo ID and this lanyard ID must be worn by the applicant at all times. Hamburg has their own Police Department to handle the background checks and the Detective at the Police Department either approves or denies the Application. The Applicant is advised that if there are any complaints, their Permit can be pulled.

# TOWN OF HAMBURG APPLICATION FOR SOLICITOR AND PEDDLER PERMIT

FAILURE TO COMPLETE ANY PORTION OF THIS APPLICATION MAY RESULT IN DENIAL OF PERMIT  
YOU MUST PRESENT A FORM OF IDENTIFICATION THAT INCLUDES A CURRENT PHOTOGRAPH

Name: \_\_\_\_\_ Phone #: \_\_\_\_\_ Sex: \_\_\_\_\_

Address: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Drivers License State and ID#: \_\_\_\_\_

Employer's Name: \_\_\_\_\_ Employer's Phone #: \_\_\_\_\_

Employer's Address: \_\_\_\_\_

Manager's Name and Phone #: \_\_\_\_\_

Products to be Sold or Orders Taken: \_\_\_\_\_

Vehicle(s) to be used: Plate #: \_\_\_\_\_ State: \_\_\_\_\_ Year: \_\_\_\_\_ Color: \_\_\_\_\_

Name Registered Owner: \_\_\_\_\_ Make: \_\_\_\_\_ Model: \_\_\_\_\_

Have you ever been arrested, summoned, charged or indicted anywhere for any offense including DWI

(except traffic infractions)? YES \_\_\_\_\_ NO \_\_\_\_\_ If yes, describe in detail \_\_\_\_\_

List any other towns that you have obtained a permit, include the year obtained \_\_\_\_\_

Your signature below signifies that you hereby authorize any representative of the Town of Hamburg, NY to obtain any of the following information public or private, including but not limited to your background, your criminal history (including arrest records), driver's license status, etc. You also release the Town of Hamburg and any agents, servants, employees, officials or representatives of the Town of Hamburg from any liability or damages that may result from obtaining said information, including any liability or damage pursuant to any state or federal laws.

Your signature below also signifies that if this permit application is approved, you will abide by ALL State and Federal Laws, including the Town of Hamburg's Local Law, Chapter 191. Copy of this law is available in the Town Clerk's Office or on line @ [www.townofhamburgny.com](http://www.townofhamburgny.com). If approved your permit including your photograph will be posted on the Town of Hamburg's website.

**ALL APPLICANTS MUST HAVE THEIR FINGERPRINTS TAKEN PRIOR TO THIS PERMIT BEING ISSUED. SEE REVERSE SIDE FOR INSTRUCTIONS**

## **INSTRUCTIONS**

Effective Immediately, ALL Peddler and Solicitor permit applicants are required to have a criminal background check completed prior to issuing these permits. In order for the Department of Criminal Justice Services (DCJS) to provide us with your criminal history, all applicants must be fingerprinted. New York State does NOT allow the Town of Hamburg Police Department to do these fingerprints. All Peddler and Solicitor fingerprints must be completed by the "L-1 Enrollment Process" per the instructions below. Once your fingerprints are completed, your criminal background check will be forwarded electronically to the Town of Hamburg Police Department for review and subsequent approval or denial.

### **THE APPLICATION PROCESS**

Schedule and have your Fingerprints completed, see instructions below

Complete this Solicitor/Peddler Permit Application (reverse side)

Submit completed application to the Town Clerk's Office

Within 10 business days after we receive your criminal background check from DCJS, you will be contacted by phone on your approval or denial of this application

If approved you must report to Town Clerk's Office to pay for permit. Cost \$100. for 60 day permit and you must have your photograph taken. You must bring picture ID

### **THE FINGERPRINT PROCESS**

New York State requires that all peddler and solicitor permit applicant fingerprints MUST be completed by the following process. To find a fingerprint location near you and to schedule an appointment call toll free (877) 472-6915 or register on-line at [www.Lienrollment1.com](http://www.Lienrollment1.com).

To schedule an appointment you will need the following information:

- (1) Reason for fingerprints:           Solicitor or Peddler Permit Applicant
- (2) Town of Hamburg's ORI #:        NY0146500

Cost for Fingerprints is \$87.25. Personal check or Money Order, payable to: "L1 Enrollment Services"  
Please note this price is subject to change.

Fingerprints and the subsequent criminal background check are good for one year.

### **IF APPROVED**

Every solicitor or peddler will be issued a permit, which will include their Name, Photograph and Expiration date