

A Meeting of the Town Board of the Town of Orchard Park, Erie County, New York, was held at the Orchard Park Municipal Center, S4295 South Buffalo Street, Orchard Park, New York on the 16th day of January, 2013 at 7:00 PM, the meeting was called to order by Supervisor Colarusso and there were:

PRESENT AT ROLL CALL:	Janis Colarusso	Supervisor	
	David Kaczor	Councilmember	
	Carol Hutton	Town Clerk	
	John C. Bailey	Town Attorney	
	Frederick Piasecki, Jr.	Highway Superintendent	
	Wayne Bieler	Town Engineer	
	Andrew Geist	Building Inspector	
	Mark Pacholec	Chief of Police	
	Absent	Eugene Majchrzak	Councilmember

Supervisor Colarusso read into the record the following: "If anyone appearing before the Town Board has a family, financial or business relationship with any member of the Board, it is incumbent upon that person to make it known under State Law and the Town Code of Ethics."

1) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER KACZOR, WHO MOVED ITS ADOPTION, SECONDED BY SUPERVISOR COLARUSSO, TO WIT:

RESOLVED, that the Regular Town Board Meeting minutes held on January 2, 2013 and the 2013 Organizational Meetings held on January 2, 2013, are hereby approved, and be it further

RESOLVED, that the reading of these minutes be dispensed with as each member of the Town Board has previously received copies thereof.

The resolution was unanimously adopted.

PUBLIC HEARING

At 7:00 PM (local time) the Supervisor called for the Public Hearing to hear all interested parties for or against the Proposed Changes to the Town Code §120-5.1. – Snow Removal Prohibitions by Local Law for the year 2013 which reads as follows:

§120-5.1. Snow Removal Prohibitions

Section 1:

- A. No person or employer or agent of such person shall actively themselves or passively allow someone else to plow, shovel, sweep, snow-blow or pile snow, ice or other such materials in or beyond the right-of-way of any street or public highway or cause such to be done so as to interfere with the safety and convenience of public travel or such as to constitute an obstruction of the sight of persons traveling by vehicle or by foot on public streets or sidewalks or on private driveways.
- B. No person or the employer or agent of such person shall actively themselves or passively allow someone else to plow, shovel, snow-blow or pile snow from a private or public driveway in such a manner as to deposit the same in the public roadway or on a public sidewalk

C. Enforcement:

1. Any infraction by a person, firm or corporation of any provision of this section shall be deemed an offense punishable by a fine not to exceed \$250 or imprisonment for a period not to exceed 15 days, or both.
2. Any person who takes part in or assists in any violation of this section shall be subject to the penalties provided herein.
3. This section shall be enforced by the members of the Town of Orchard Park Police Department and Code Enforcement Officers.

Section 2:

Effective date: This Local Law will take effect upon filing in the Office of the Secretary of State or from the date of its service as against a person served personally with a copy thereof.

Affidavits and Publication of the Legal Notice of the Public Hearing were presented, read aloud and filed with the Town Board by the Town Clerk.

Lt. Wehrfritz outlined the Local Law for Snow Plowing.

Supervisor Colarusso asked if there was anyone who would like to speak for or against the proposed Local Law. The following came forward.

Nicholas Taneff – Mr. Taneff stated that he is in favor of this Local Law and would also like to see the Town initiate a licensing procedure for Snow Plowing. People that snow plow would then be insured and aware of the laws regarding snow plowing.

Jim Snyder – Mr. Snyder asked if this Local Law would apply in the Village, which it would not.

Jim Huetter – Mr. Huetter stated that he was in favor of this Local Law and likes the fact that the home owner can be held accountable as well.

Dave Smith – Mr. Smith wanted to know if plowing snow onto a neighbor's yard or right of way was illegal and wanted to know what to do if a person snowplowing damages his lawn. Chief Pacholec said the Local Law only applies to snow that is deposited on the public streets, but Mr. Smith could call the Police Department if he sees someone damaging his property while they are snowplowing. The police will help mediate the issue.

Jonathan Pietre – Mr. Pietre is co-owner of Flett Lawn Care and they do snowplow. He thinks the Town should charge a fee to issue licenses to snowplow, that way you weed out the individuals who are not snowplowing on a regular basis and do not follow the rules.

Tom Huebert – Mr. Huebert had questions regarding the snow that is left in the road when a person snowplowing moves the snow across the street and leaves lines of snow in the middle of the road. This is a dangerous situation and can cause accidents. Chief Pacholec and Lt. Wehrfritz stated that it is against New York State law to leave deposits of snow in the road.

2) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR COLARUSSO, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER KACZOR, TO WIT:

RESOLVED, that the Public Hearing in the matter of the Proposed Changes for a Local Law for the Year 2013: "Amendments to §120-5.1 "Snow Removal Prohibitions" is hereby closed at 7:18 PM (local time).

The resolution was unanimously adopted.

Supervisor Colarusso stated they will not be voting on this tonight.

PUBLIC HEARING

At 7:19 PM (local time) the Supervisor called for the Public Hearing to hear all interested parties for or against an Amendment to the Zoning Ordinance of the Town of Orchard Park: to rezone property located at 5200 Chestnut Ridge Road from R-2 to R-3, with a Senior Residential (SR) designation, as petitioned by the Hamister Group.

Affidavits of Publication and Posting of the Legal Notice of the Public Hearing were presented, read aloud, and filed with the Town Board by the Town Clerk.

Supervisor Colarusso asked if anyone would like to speak for or against the proposed rezoning, the following people came forward to speak:

Sean Hopkins, attorney for the petitioner introduced Dan Hamister and Josh Klotzbach of the Hamister Group, Robert Blood, landscape architect and Michael Terranova, project architect for this project. Mr. Hopkins outlined the project and what they planned to do. Mr. Hopkins stated that they are working with the neighboring property owners and will continue to do so.

Nicholas Taneff – Mr. Taneff, who is a member of the Planning Board, stated that he is support of this project and complemented Mr. Hopkins and the Hamister Group for their professional consideration and compassion for the neighbors of this project and for the Planning Board throughout the approval process.

Hank Jarocho – Mr. Jarocho lives across from the proposed project and strongly supports this project. Mr. Jarocho stated that he was on the Zoning Board when the original project was presented and the Hamister Group was just as cooperative and gracious in meeting the requests of the Town.

Joe Clemente – Mr. Clemente lives close to the proposed project and has three major concerns. The first is increased traffic with so many units going in, second is property value being impacted by 64 apartments being built so close to his home. Third is the precedent of rezoning, multiple rezoning and wondered what could follow.

3) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR COLARUSSO, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER KACZOR, TO WIT:

RESOLVED, that the Public Hearing in the matter of an Amendment to the Zoning Ordinance of the Town of Orchard Park, to rezone property located at 5200 Chestnut Ridge Road from R-2 to R-3, with a Senior Residential (SR) designation, as petitioned by the Hamister Group, is hereby closed at 7:33 PM (local time).

The resolution was unanimously adopted.

Supervisor Colarusso stated that they will not be voting on this tonight.

Old Business #1 Automated Machine Technologies, California Rd., approve Building Permit

4) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR COLARUSSO, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER KACZOR, TO WIT:

WHEREAS, Automated Machine Technologies has requested an 8,000 sq.ft. building upon vacant land located on the west side of California Road, north of Southwestern Boulevard, Zoned I-1,

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize a Building Permit and Grant Site Plan Approval for the Plan received 12/03/12 from Automated Machine Technologies for an 8,000 sq.ft. building, as recommended by the Planning Board with the following conditions and stipulations:

1. This is an Unlisted SEQR action based on the submitted Long EAF, Parts One and Two, and a Negative Declaration is made.
2. The site lighting is limited to those fixtures and poles indicated on the approved site plan. Light fixtures shall have flat lens.
3. No outside storage or display is permitted.
4. Dumpsters as shown shall be screened, along with any additional dumpsters in accordance §144-25 of the Town Code.
5. The Landscape Plan, received 12/07/12, includes 86% total green space. In accordance with §144-44(c)(1)(a)(2), a Certified Check amounting to 50% of the \$14,500.00 Landscaping Estimate shall be deposited with the Town Clerk prior to receiving a Building Permit.
6. Town Engineering Approval has been granted on 1/9/13.

The resolution was unanimously adopted.

New Business #1 Building Inspector & staff member to attend 2013 Building Officials Conference

5) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER KACZOR, WHO MOVED ITS ADOPTION, SECONDED BY SUPERVISOR COLARUSSO, TO WIT:

RESOLVED, that the Town Board does hereby authorize Building Inspector Andy Geist, and David Jensen to attend the 2013 Niagara Frontier Building Officials Conference, January 28-30, 2013, to be held at the Buffalo Millennium Hotel, Cheektowaga NY. The registration and conference cost of \$275 per person was paid out of the 2012 budget.

The resolution was unanimously adopted.

New Business #2 Amend Organizational Minutes

6) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER KACZOR, WHO MOVED ITS ADOPTION, SECONDED BY SUPERVISOR COLARUSSO, TO WIT:

RESOLVED, that the Town Board does hereby amend the 2013 Organization Meeting Minutes to approve Jack Putnam to serve on the Public Safety Committee in place of Robert Eiskant for the Fire Company.

The resolution was unanimously adopted.

New Business #3 Appoint Part-time Non-Competitive Public Safety Dispatchers

7) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER KACZOR, WHO MOVED ITS ADOPTION, SECONDED BY SUPERVISOR COLARUSSO, TO WIT:

RESOLVED, that the Town Board does hereby appoint the following to Part-time, non-competitive, Public Safety dispatchers at the pay rate of PT 0003, \$13.15 per hour, as of January 16, 2013: Douglas Wolf, Amanda Schiedel, Rebekah Brand, Lindsey Lobur and Andrew Kowalski.

The resolution was unanimously adopted.

New Business #4 Authorize Supervisor to sign agreement with Aqua Tech

8) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER KACZOR, WHO MOVED ITS ADOPTION, SECONDED BY SUPERVISOR COLARUSSO, TO WIT:

WHEREAS, similar to previous years, to complete the algae/plant treatments for various pond/lakes including Green Lake it is necessary to hire an environmental consulting firm New York Certified in Aquatic Vegetation and Algae Control, and

WHEREAS, the Town Engineer solicited services and received a proposal from a local environmental consultant firm AquaTech Environmental, Inc., which is qualified and capable to complete lake management work for Green Lake, Pleasant Acres Pond and also the stocking of various Town owned lakes/ponds in the necessary time frame, and

WHEREAS, the environmental services to be provided for the maintenance of Green Lake are proposed as an annual lake maintenance service agreement and will include: NYSDEC Permit Procurement (Currently \$300.00), Aquatic Macrophyte Herbicide Treatment, Algae Herbicide Treatment, Aeration Assessment and Adjustment, and Consultation Services. Aqua Tech Environmental, Inc. lump sum cost to provide the above mentioned treatments for 2013 is \$4,600.00(attachment #1), and

WHEREAS, the services proposed for Birdsong Subdivision Retention Lake are again being discontinued this year, due to the Homeowners Associations refusal to pay 50% of treatment and permitting costs, and

WHEREAS, the Pleasant Acres Retention Ponds is being included in the agreement once again this year for treatment. The developer of the subdivision has decided it would be a good option to have in place, if the ponds need treatment. He has agreed to pay for 50% of the permitting fee and the same if treatment is needed. The permitting process (\$300.00) will not be completed at this time, if needed the permit can be applied for and obtained in a few weeks. The services and costs will be in the contract once again, with zero quantities, so if treatment is warranted it can still be completed as a per treatment basis. The treatments will be Filamentous Algae treatments for \$975.00/each and \$1,350.00/each for rooted plants treatment. The total anticipated cost for 2013 is \$0.00 for the year, and

WHEREAS, the continuation of the Town of Orchard Park Fish Stocking program recommendations are attached (Attachment 3.0 Fishery Management Agreement) for 2013. Mr. Adrian recommends continuing the baitfish stocking (crayfish, fathead minnows, golden shiners), game fish stocking (crappie and yellow perch) and grass carp stocking to aid in weed and insect control. The 2013 proposed stocking cost is \$1,996.40, and

WHEREAS, the entire projected cost for Town Lake and Pond maintenance, treatment and stocking for calendar year 2013, is not to exceed \$9,221.40. There are presently funds (\$12,000.00) under Orchard Park Engineering Department "Water Quality Consultants" A.1440.000.448 for this work.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby Authorize the Supervisor to sign the application for NYSDEC permit to use a pesticide for the control of aquatic pest for Green Lake Aquatic Vegetation and Algae Control and any other Town Ponds/Lakes that require treatment, as recommended by the Town Engineer, and be it further

RESOLVED, Authorize the Supervisor to sign an agreement with AquaTech Environmental, Inc., 45 Kent Avenue, Blasdell, New York 14219, for an amount not to exceed \$9,221.40 to provide the following, as recommended by the Town Engineer:

- Annual environmental services for Green Lake Maintenance in an amount of \$4,600.00 annually for Algae and Weed Treatments.
- Environmental permitting and treatment services for various Town Ponds/Lakes including Pleasant Acres Retention Pond Maintenance.
- Stock fish to specified Town-Owned ponds as per attachment 3.0 & 3.1 Fishery Management Agreement.

The resolution was unanimously adopted.

New Business #5 Town Clerk to release GPS monuments escrow for PIP 2012-01 Holly Ridge

9) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR COLARUSSO, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER KACZOR, TO WIT:

WHEREAS, on September 19, 2012, the Town Board accepted dedication of the public improvements constructed in the Holly Ridge Estates subdivision with the stipulation that funds paid by the Developer be held in escrow (\$5,000) until the installation of two (2) required "GPS" monuments and submission of the confirmatory surveys and associated survey data for all required survey monuments (7 property monuments and 2 "GPS" monuments) was completed and acceptable, and

WHEREAS, the Developer has since completed the required installation of the two (2) required "GPS" monuments and made the submission of the confirmatory surveys with associated survey data for all required survey monuments. The work was inspected by the Engineering Department and found to be in compliance with Town specifications,

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the Town Clerk to release to DJC Land, Inc., 470 Cayuga Road, Cheektowaga, New York 14225 the \$5,000 held in escrow for the installation of two (2) required "GPS" monuments and for submission of the confirmatory surveys with associated survey data for all required survey monuments in the Holly Ridge Estates Subdivision (PIP #2012-01), as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #6 Declare 2000 Chevy C1500 for Sewer, Water & Lighting, as surplus

10) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR COLARUSSO, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER KACZOR, TO WIT:

WHEREAS, the Sewer, Water & Lighting Department has a vehicle being used by the field inspectors that is no longer in use as of January 1st 2013 due to the fact that it will not pass NYS Inspection and would require \$1,000 +/- in repairs, and

WHEREAS, the vehicle is a 2000 Chevrolet 1500 Pickup that is 13 years old and has over 107,000 miles. The truck has already had over \$5,000 in various repairs over the years and is now in need of major repairs once again. It is not cost effective for the Town to repair and continue to run this vehicle with the amount of rust body damage, and

WHEREAS, the Town will not recover much money for the vehicle due to the current age and condition of the truck. The truck does run and is drivable so sealed bidding or sending it to public auction would most likely be in the Town's best interest,

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby declare the 2000 Chevrolet Pickup (VIN# 1GCEC14W2YE345028) as a surplus vehicle, and authorize the receiving of sealed bids or public auction of this vehicle, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #7 Authorize Purchase of 2013 Ford F150 for Sewer, Water & Lighting

11) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR COLARUSSO, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER KACZOR, TO WIT:

RESOLVED, that per the January 9, 2013 memo, the Sewer, Water & Lighting Department has lost the use of one of their inspection pickup trucks due to the need for excessive repairs in order to pass NYS inspection. The truck is 13 years old with approximately 107,000 miles and a very salt damaged body. As discussed at the January 9, 2013 work session, the truck will be funded from the T00.87 construction inspection account. We have checked state contracts and propose to purchase a new truck for the Sewer, Water and Lighting Inspector from these contracts when we received the quote from the supplier,

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the Town Engineer to purchase a 2013 F-150 Ford pickup truck under state bid contract from Van Bortel Ford, Inc. 7325 Route 96, Victor, NY 14564 for the amount not to exceed \$17,500.00 for the Sewer, Water & Lighting Construction Inspector. As recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business # 8 Authorize Supervisor to sign agreement w/ TVGA for professional services

12) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR COLARUSSO, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER KACZOR, TO WIT:

WHEREAS, the Town of Orchard Park's GPS control network was established in 1998 by TVGA Consultants (TVGA), with the installation of eighty-two (82) new GPS monuments and the utilization of thirteen (13) existing monuments, and since that time, fourteen (14) additional GPS monuments were installed under various PIP projects; our Town's GPS network now has a total of 109 monuments. All these monuments were surveyed in NAD 83(96) Datum, referenced to the New York State Plane Coordinate System, West Zone. It has been the intent of the Town to have projects (commercial, subdivision and Town projects) to reference both horizontally and vertically to the permanent control monuments as well as give the Town the ability to strengthen its existing records. Just recently, the overall GPS datum that is currently being used in New York State was changed to NAD83/CORS (NSRS2011) datum, and

WHEREAS, in order to continue to utilize our GPS control monuments the Town will have to reprocess the existing GPS network to the current National Geodetic Survey datum. The Town of Orchard Park Engineering Department does not have the proper computer software to accomplish the needed changes, and

WHEREAS, the Engineering Department has contacted TVGA Consultants who did the original GPS monuments and five (5) of the additional fourteen (14) GPS monuments installed under various PIP projects. TVGA can accomplish this by reprocessing the data to the current National Geodetic Survey CORS datum for the 100 monuments, which they installed and survey the nine (9) remaining monuments in the Town network that were installed by others over the years. The estimated fee to reprocess the 100 GPS control monuments that TVGA installed is \$1,200 and survey the eleven (11) remaining monuments with processing is \$ 5,725 for a total of \$6,925. There is presently \$7,500 plus interest allocated under capital project H04 GIS and Mapping for this project work.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby authorize the Supervisor to sign an agreement for the processing of the entire Town's GPS control network of 109 monuments to the current National Geodetic Survey CORS NAD83/CORS (NSRS2011) datum with TVGA Consultants, 620 Main Street, Buffalo, New York 14202 in the amount of \$6,925.00.

The resolution was unanimously adopted.

New Business # 9 Authorize Supervisor to sign agreement w/TVGA for professional services

13) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR COLARUSSO, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER KACZOR, TO WIT:

WHEREAS, as discussed at the work session, to apply for the Local Government Efficiency Grant Application by March 13, in 2013, the use of a consultant for Professional Grant Writing Services would be necessary with current workload of the Engineering and Police Departments, and

WHEREAS, the Town of Orchard Park received a qualifications submittal from TVGA Consultants. The Town Engineer met with representatives of the firm to review contract language, refine a scope of services and negotiated an appropriate fee structure. The Town Engineer believes that the proposed scope of services and agreement with TVGA Consultants is satisfactory and will accomplish the goals of the grant-writing project as set forth by the Town. The scope of work services has been organized into five major work elements: Reviewing the RFP and Application, Completing applications forms and required narratives, Packaging and delivery, Reviewing the completed application and Managerial review and

Oversight. The acting Police Chief, Mark Pacholec, will be working with the grant writer directly for assistance with this application and other Towns Swat needs, and

WHEREAS, TVGA Consultants proposes to provide these services noted above at an hourly fee of \$100/hour, not to exceed \$3,000.00 including expenses. There is presently approximately \$18,000 plus interest allocated under Grant Writer A.1220.403 for Town Grant Application projects.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the Supervisor to sign an agreement with TVGA Consultants, 620 Main Street, Buffalo, New York 14202, to provide Professional *Grant Writing Services* for the *Local Government Efficiency Grant Application* for the Police Department in an amount not to exceed \$3,000.00, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #10 Liaisons to OP Emergency Disaster Committee

14) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER KACZOR, WHO MOVED ITS ADOPTION, SECONDED BY SUPERVISOR COLARUSSO, TO WIT:

RESOLVED, that the Town Board does hereby approve of the appointment of the Orchard Park Fire District Chief, and the Commissioner of Erie County Emergency Management as liaisons to the Orchard Park Emergency Disaster Committee.

The resolution was unanimously adopted.

New Business #11 Approve Appointment to Library Board

15) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER KACZOR, WHO MOVED ITS ADOPTION, SECONDED BY SUPERVISOR COLARUSSO, TO WIT:

RESOLVED, that the Town Board does hereby appoint Dorothy Holmes to the Library Board for a five (5) year term ending 12/31/2017.

The resolution was unanimously adopted.

New Business #12 Approve Appointment to Youth Board

16) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR COLARUSSO, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER KACZOR, TO WIT:

RESOLVED, that the Town Board does hereby appoint Chief of Police Mark Pacholec and Detective John Payne to the Youth Board for a one (1) year term ending 12/31/2013

The resolution was unanimously adopted.

BUSINESS FROM THE FLOOR

Tom Pieczynski – Mr. Pieczynski said Senior Council talked to the School Board about purchasing the Baker Road Complex for a new Senior Center. He stated they were receptive and would soon be putting out a Request for Proposal. He feels the Town should put in a Request for Proposal for this parcel, as the Baker Road Complex for a Senior Center would be a less expensive way to obtain a new Senior Center. Mr. Pieczynski stated seniors comprise over 25% of the population of Orchard Park, and that number is growing. Mr. Pieczynski said that as tax payers we have already paid for the Baker Road building.

Patrick Keem – Mr. Keem stated that the current senior center is inadequate for our seniors needs. He stated having a Senior Center actually saves tax payers money, as many seniors are able to stay in their own homes longer because of the services provided. Mr. Keem stated the necessity for a new Senior Center needs to be brought to the public’s attention and he supports the Senior Council in their pursuit of a new Senior Center, as it is a good investment in the community.

Mike Riser – Mr. Riser is from Senator Mark Grisanti’s office and they have started a new initiative to attend Town Board meetings, to learn more about the issues affecting the Town. He will also be available to answer questions that the residents may have.

ELECTED OFFICIALS & DEPARTMENT HEADS

Supervisor Colarusso said she had talked to Mr. McGarrity, the Superintendent of Schools, regarding the Senior Counsel meeting. Mr. McGarrity said he will sit down with Supervisor Colarusso to review the numbers on the Request for Proposal (RFP) before it is published so the Town will know what they are looking at for the Baker Road building. She stated that the Town Board is well aware of the limitations of the current Senior Center and are exploring different avenues to find a new center, but the Town will not do anything that will burden the tax payers.

17) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR COLARUSSO, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER KACZOR, TO WIT:

RESOLVED, that the Town Board does hereby authorize the following budget transfers:

Highway Superintendent:

Parks

\$280.00 From: A7110.0422 Parks - Gas
 To: A7110.0423 Park - Water

Compost:

\$1266.00 From: 800.8161.0250 Compost Equipment
 To: 800.8161.0416 Compost Fuel

The resolution was unanimously adopted.

18) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR COLARUSSO, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER KACZOR, TO WIT:

RESOLVED, that the Town Board will be going into Executive Session on Tuesday, January 29, 2013 at 5:00PM to meet with the Blue Collar Union members regarding their contract.

The resolution was unanimously adopted.

Highway Superintendent, Fred Piasecki, stated the Highway Department is still out picking up Christmas Trees for composting.

19) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR COLARUSSO, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER KACZOR, TO WIT:

RESOLVED that the Town Board does hereby authorize the approval of all entries on Warrant #2 following auditing by members of the Town Board and in the funds indicated:

General Fund	\$30,297.93
Public Safety Fund	\$2977.42
Part Town Fund	\$410.10
Risk Retention	\$0.00
Cemetery Fund	\$0.00
Highway Fund	\$53,944.45
Special Districts	\$44,790.24
Trust & Agency	\$683.39
Capital Fund	\$17,910.26

The resolution was unanimously adopted.

20) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR COLARUSSO, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER KACZOR, TO WIT:

RESOLVED, that the Town Board does hereby receive and file the following Communication & Report:

Communications:

- Village of Orchard Park has been approved for the Safe Routes to School Program Infrastructure and Non-Infrastructure funds in the amount of \$391,867. The Safe Routes to School Program is a 100% federally funded reimbursement program.

Reports:

- Building Inspector's Monthly Report for the month of December 2012.
- Building Inspector's Annual Building Inspector's Report for 2012.
- Building Inspector's New Construction Report 2003 to 2012.

The resolution was unanimously adopted.

There being no further business, on a motion by Supervisor Colarusso seconded by Councilmember Kaczor, to wit: the meeting adjourned at 8:06 pm (local time).

Respectfully Submitted,



Carol R. Hutton
Town Clerk