

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 3rd day of February at 7:00 PM, the meeting was called to order by the Supervisor and there were:

PRESENT AT ROLL CALL:	Janis Colarusso	Supervisor
	Nancy Ackerman	Councilwoman
	David Kaczor	Councilman
	Edward Graber	Councilman
	Eugene Majchrzak	Councilman
	Carol Hutton	Town Clerk
	Leonard Berkowitz	Town Attorney
	Andrew Geist	Building Inspector
	Andrew Benz	Chief of Police
	Frederick Piasecki, Jr.	Highway Superintendent
Absent:	Wayne Bieler	Town Engineer

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."

Presentation of the Recreation Department New Web Site

Councilman Kaczor introduced Recreation Director, Ed Leak, who gave the web site presentation to the audience showing the new programs and ease in navigating the site. Councilman Kaczor thanked Canisius College and especially, Jasio Stefanski, for helping with the new design. Councilman Kaczor stated that 9,400 people participated in the many and varied Recreation programs last year. Registration and payment can be conducted on line, making it easy for the residents to sign up for the programs. The site is very comprehensive for the residents, so they can easily visit the web site for any information, with the addition of facebook and twitter page.

1) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN ACKERMAN, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GRABER, TO WIT:

RESOLVED, that the Organizational Meeting and Regular Meeting held on January 6, 2010 and the three Executive Session meetings held on January 6, 13 and 20, 2010, as presented by the Town Clerk are hereby approved, and be it further

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

The resolution was unanimously adopted.

Old Business #1 Award Bid for Compost Site Windrow Turner

2) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN ACKERMAN, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN KACZOR, TO WIT:

RESOLVED, that the Town Board does hereby award the bid for the Windrow Turner to Vermeer Northeast, the lowest responsible bidder, for \$148,105.00 with the optional trailer package of \$9,945.00, as recommended by Highway Superintendent Piasecki.

The resolution was unanimously adopted.

New Business #1 Accept the Resignation of Susan Kryszak from Recreation Commission

3) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KACZOR, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN MAJCHRZAK, TO WIT:

RESOLVED, that the Town Board does hereby accept with regret, the resignation of Susan Kryszak from the Recreation Commission.

The resolution was unanimously adopted.

New Business #2 Approve Appointments of the 2010 Winter/Spring Part-time Recreation Staff

4) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KACZOR, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN ACKERMAN, TO WIT:

RESOLVED, that the Town Board does hereby authorize the appointments of the following applicants as requested by Recreation Director Leak, dependent upon the applicants providing the required certifications:

Name	Address	Rate	Position
Katie Pataky	Hamburg	\$8.00	PT1-C (Att.)
Shannon Jablonski	Cheektowaga	\$10.50	PT2-D (LG)

The resolution was unanimously adopted.

New Business #3 Request for Feasibility Survey to Utilize Wireless Technology on Town Assets

5) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN GRABER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN KACZOR, TO WIT:

RESOLVED, that the Town Board does hereby approve the request of R. Paul Warriner, Town IT Coordinator, to have a feasibility survey performed by Integrated Systems, Victor, NY (NYS OGS contract #CMT289A). The survey will provide technical feasibility of utilizing wireless technology on Town owned assets, with a primary focus on the use of antennas on the Village water tower to replace hard line connections to the Highway Department, Recreation Office and the Senior Center. The cost of this study is not to exceed \$4,250.00.

The resolution was unanimously adopted.

New Business #4 Purchase of a New Wildcat Turner for Compost Facility

6) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN ACKERMAN, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN KACZOR, TO WIT:

WHEREAS, the Compost Facility is looking to purchase a new 2010 TS Wildcat Towable Straddle Compost Turner in accordance with the equipment replacement and update program. This machine will

improve not only the efficiency in the operation of turning the compost and mulch, but also the fuel and maintenance of this piece of equipment, and

WHEREAS, the Compost Facility will be trading in the existing 2002 Scat 483H Windrow Turner with the trade-in value amount of \$23,000.00. The cost of the new Wildcat Turner is \$181,050.00, less the trade-in amount will bring the net cost \$158,050.00. The monies for this purchase are in the budget under Compost Equipment Reserve,

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the purchase of a new 2010 TS 616 Wildcat Towable Straddle Compost Turner, as recommended by Highway Superintendent Piasecki.

The resolution was unanimously adopted.

New Business #5 Appointment to Position of Laborer, Part-time Cleaner for Recreation Building

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

RESOLVED, the Town Board does hereby authorize the appointment of Jason Hoover, 4620 Duerr Road, Orchard Park, NY to the position Laborer, Part-time Cleaner, Non-Union Master Wage Scale Job Classification of L4 A at \$10.00, effective February 1, 2010.

The resolution was unanimously adopted.

New Business #6 Reappointment of Alternate Member for the Conservation Board

8) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN ACKERMAN, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GRABER, TO WIT:

RESOLVED, that the Town Board does hereby does hereby authorize the reappointment of Andrew Sako, 3 Lynchburg Court, Orchard Park, NY as Alternate to the Conservation Board.

Councilwoman Ackerman stated that the Conservation Board and Conservation Board Chairman, Richard Schechter all approved this appointment.

The resolution was unanimously adopted.

BUSINESS FROM THE FLOOR

Jane Shumaker – Ms. Shumaker complimented the new Recreation website. Ms. Shumaker stated what needs to be the focus of the Town Budget this year is cost. She stated that she would like to see the numbers on the Compost Facility and if it is making money.

ELECTED OFFICIALS & DEPARTMENT HEADS

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

RESOLVED, that the Town Board does hereby authorize the following 2009 Budget Transfers:

Account Code	Department	Description	Transfer From	Transfer To
800.8160.0440	Refuse	Cont.Services-Basic	930.00	
800.8160.0452	Refuse	Recycling Bin Expense		930.00
800.8161.0401	Refuse/Comp	Facility Supplies	1,900.72	
800.8161.0111	Refuse/Comp	Crew Chief		38.24
800.8161.0149	Refuse/Comp	P/T Personnel		1,862.48
800.9010.0810	Refuse/Comp	State Retirement	1,581.12	
800.9030.0812	Refuse/Comp	Social Security		613.75
800.9040.0813	Refuse/Comp	Workmens Comp. Ins.		826.84
800.9045.0815	Refuse/Comp	Life Insurance		0.20
800.9090.0817	Refuse/Comp	Medicare		140.33
			4,411.84	4,411.84
A.1110.0449	Town Justice	Court Reporter	1,750.00	
A.1110.0420	Town Justice	Law Books	358.93	
A.1110.0137	Town Justice	Clerical Personnel		1,868.68
A.1110.0139	Town Justice	P/T Clerical		240.25
			2,108.93	2,108.93
A.1220.0413	Supervisor	Travel & Conference	18.00	
A.1220.0419	Supervisor	Other Expenses		18.00
			18.00	18.00
A.1330.0137	Tax Rec.	P/T Clerical	482.00	
A.1330.0200	Tax Rec.	Office Equipment	318.60	
A.1330.0111	Tax Rec.	F/T Clerical (25%)		800.60
			800.60	800.60
A.1355.0137	Assessment	Clerical Personnel	487.89	
A.1355.0100	Assessment	Assessor Salary		487.89
			487.89	487.89
A.1670.0446	Cent. Serv.	Maintenance Agreements	95.00	
A.1340.0451	Budgeting	Acct. Service		95.00
			95.00	95.00

A.1410.0141	Town Clerk	Record Mgmt. Clerk - P/T	575.35	
A.1410.0200	Town Clerk	Office Equipment	1,260.93	
A.1410.0111	Town Clerk	Deputy Town Clerk Salary		248.04
A.1410.0137	Town Clerk	2nd Deputy Town Clerk		194.24
A.1410.0139	Town Clerk	P/T Clerical		1,394.00
			1,836.28	1,836.28
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A.1440.0139	Engineer	P/T Personnel Salaries	155.31	
A.1440.0100	Engineer	Engineer Salary		155.31
			155.31	155.31
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A.1620.0421	Buildings	Electric	2,039.49	
A.1450.0110	Elections	Election Inspector		1,969.64
A.1450.0419	Elections	Machine Move, Signs		69.85
			2,039.49	2,039.49
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A.1670.0139	Central Services	Central Clerical Pool	545.91	
A.1670.0130	Central Services	75% Computer Tech/GIS		545.91
			545.91	545.91
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A.1910.0464	General	Judgments & Claims	181.31	
A.1910.0462	General	Tax & Assess. Town Property		181.31
			181.31	181.31
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A.9015.0811	General	Police State Retirement	51,649.45	
A.3120.0100	Police	Personnel Salaries		51,649.45
A.1670.0400	General	Supplies	99.12	
A.3120.0451	Police	Insurance Deductible	2,186.01	
A.3120.0418	Police	Other Expenses	416.25	
A.3120.0419	Police	Union Contract Travel	118.61	
A.3120.0215	Police	Patrol Cars		2,684.20
A.3120.0105	Police	Matron	93.32	
A.3120.0110	Police	Bingo Inspector		93.32
A.3120.0449	Police	Small Equipment	410.47	
A.3120.0443	Police	Supplies		392.86
A.3120.0401	Police	Supplies		153.40
			54,973.23	54,973.23
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A.3510.0111	Dog Control	Asst. Dog Control Officer	201.18	
A.3510.0100	Dog Control	Salary		201.18
A.3510.0421	Dog Control	Electric	272.23	
A.3510.0422	Dog Control	Gas		272.23
			473.41	473.41

A.7020.0421	Recreation	Electric	1.47	
A.7020.0420	Recreation	Telephone		1.47
			1.47	1.47
A.7610.0139	Sr. Ctz.	P/T Sr. Ctr. Personnel	583.53	
A.7610.0100	Sr. Ctz.	Sr. Center Salaries		566.03
A.7610.0149	Sr. Ctz.	P/T Sr. Ctr. Program PSN		17.50
A.7610.0409	Sr. Ctz.	Supplies	1,660.39	
A.7610.0401	Sr. Ctz.	Sr. Citizen Van		1,164.92
A.7610.0420	Sr. Ctz.	Telephone		311.66
A.7610.0445	Sr. Ctz.	Maint. & Repairs		183.81
			2,243.92	2,243.92
A.8730.0139	Conserv. Bd.	P/T Clerical	640.00	
A.8730.0413	Conserv. Bd.	Travel & Conf.	90.30	
A.8730.0100	Conserv. Bd.	Board Members		730.30
			730.30	730.30
A.9060.0814	General	Hospital & Med. Ins.	65,020.21	
A.9040.0813	General	Workmens Comp. Ins.		52,766.41
A.9065.0814	General	Flex Plan		12,253.80
			65,020.21	65,020.21
B.3620.0200	Bldg. Insp.	Computer Hardware	1,147.17	
B.3620.0100	Bldg. Insp.	Supv. Code Enforce.		38.58
B.3620.0109	Bldg. Insp.	Fire Inspection Officer		770.85
B.3620.0111	Bldg. Insp.	Asst. Code Enforcement		337.74
B.8010.0139	Zoning	Zoning Clerk	100.84	
B.8010.0100	Zoning	Board Members		0.68
B.8010.0101	Zoning	Alternate Board Member		100.16
B.8020.0139	Planning	Clerk 1/2	191.16	
B.8020.0100	Planning	Board Members		91.00
B.8020.0101	Planning	Alternate Board Member		100.16
B.8020.0200	Planning	Computer Remodeling	906.88	
B.8010.0400	Zoning	Office Supplies		345.37
B.8020.0400	Planning	Office Supplies		561.51
B.9060.0814	P/T	Hospital & Medical Ins.	6,681.78	
B.9010.0810	P/T	State Retirement		6,681.78
			9,027.83	9,027.83
DA.9060.0814	Highway	Hospital & Med. Ins.	51,080.06	
DA.9010.0810	Highway	State Retirement		51,061.83

DA.9070.0816	Highway	Unemployment Ins.		18.23
			51,080.06	51,080.06
A.7110.0238	Parks	Lake Water Quality Maintenance	5,074.95	
A.7110.0100	Parks	Parks Supt. Salary		0.25
A.7110.0144	Parks	Laborers		5,074.70
			5,074.95	5,074.95
A.1620.0046	Buildings	Contracted Repair & Maintenance	2,604.53	
A.1620.0445	Buildings	Renovations & Remodeling		2,604.53
A.1620.0419	Buildings	Other Expenses	2,791.00	
A.1620.0445	Buildings	Renovations & Remodeling		2,791.00
A.1620.0421	Buildings	Electric	3,081.11	
A.1620.0445	Buildings	Renovations & Remodeling		3,081.11
A.7110.0422	Parks	Gas	544.00	
A.7110.0422	Parks	Water		544.00
A.7110.0422	Parks	Gas	703.00	
A.7110.0425	Parks	Portable Bathrooms		703.00
DA.1910.0407	Highway	Drug Alcohol Test	20.00	
DA.1910.0408	Highway	First Aid		20.00
DA.5110.0416	Highway	Gas	76.00	
DA.5110.0474	Highway	Culvert Pipe		76.00
DA.5110.0416	Highway	Gas	1,024.00	
DA.5130.0419	Machinery	Other Expense		1,024.00
DA.5110.0416	Highway	Gas	1,369.00	
DA.5130.0200	Machinery	Highway Equipment		1,369.00
A.5132.0422	Highway Garage	Gas	536.00	
A.5132.0423	Highway Garage	Water		536.00
800.8161.0421	Compost	Electric	\$11.00	
800.8161.0423	Compost	Water		\$11.00

Budget Transfers		2010	
A.1620.0446	Buildings	Contracted Repair Maintenance	\$10,000.00
A.1620.0149	Buildings	P/T Personnel	\$10,000.00
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001.8345.0117	Supervisor	Stipend	\$3,600.00
001.8346.0550	Supervisor	Contingent	\$3,600.00

The resolution was unanimously adopted.

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

RESOLVED, that the Town Board does hereby accept the resignation of Detective Joseph Kadi from the Detective Bureau effective March 5, 2010, as recommended by Police Chief Benz.

The resolution was unanimously adopted.

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

WHEREAS, a Detective position within the Orchard Park Police Department will be vacated on March 5, 2010

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the appointment of Larry Brand Jr., to the position of Detective in the Police Department, with the pay rate that is described in Collective Bargaining Agreement between the Town of Orchard Park and the Orchard Park Police Benevolent Association, effective March 6, 2010, as recommended by Police Chief Benz.

The resolution was unanimously adopted.

Supervisor Colarusso introduced and congratulated Officer Brand, along with the Town Board, on his new position.

Councilwoman Ackerman stated in response to Ms. Shumaker's request for compost information, that there is a Compost Facility year end report, which is easily available to the public.

Councilman Kaczor reported that the Recreation Department's *Rec Rap* flier for Summer Camp is now available.

12) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KACZOR, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN ACKERMAN, TO WIT:

WHEREAS, the Orchard Park School District is planning a project to locate a Bus Garage on Southwestern Boulevard and is asking to be named Lead Agency in accordance with the New York State Quality Review Act.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby direct the Planning Board to review and report back their findings and recommendations on whether Lead Agency is appropriate and what the jurisdiction of the Town is with respect to the project, as recommended by Town Attorney Berkowitz.

The resolution was unanimously adopted.

13) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN GRABER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN ACKERMAN, TO WIT:

RESOLVED, that the Town Board does hereby authorize the Supervisor to sign an Inter-Municipal Agreement for the Town Building Inspector and Village Building Inspector to reciprocate responsibilities for their offices when needed.

The resolution was unanimously adopted.

Town Attorney Berkowitz stated that a law was passed last August by the New York State Legislature directing all Elected Official to keep a three month log of their daily obligations to determine a standard resolution as to what the standard working hours are of the Municipal Officials for the purpose of retirement. This resolution must be adopted by July 2010. Attorney Berkowitz pointed out that it is important to get these documents completed.

Highway Superintendent Piasecki thanked the Town Board for authorizing the purchase of the Windrow Turner for the Compost Facility.

14) THE FOLLOWING RESOLUTION WAS OFFERED COUNCILWOMAN ACKERMAN, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GRABER, TO WIT:

RESOLVED, that the Town Board does hereby authorize the request of Highway Superintendent Piasecki to advertise for bids for one Brush Chipper to include the trade-in of a Morbark Chipper Model SP 111 HP3. The bid opening will be held in the Town Board Conference Room on February 25, 2010 at 11:00 AM.

The resolution was unanimously adopted.

Town Engineer Bieler was excused from tonight's meeting.

Village Director of Department of Public Works, Andy Slotman, was in attendance.

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

RESOLVED, that the Town Board does hereby authorize the approval of all entries on Warrant #3 following auditing by members of the Town Board and in the funds indicated:

General Fund	\$53,558.21
Part Town Fund	\$652.72
Risk Retention	\$0.00
Cemetery Fund	\$0.00
Highway Fund	\$38,820.50
Special Districts	\$26,653.93
Trust & Agency	\$258.18
Capital Fund	\$677.17

The resolution was unanimously adopted.

16) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN ACKERMAN, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN KACZOR, TO WIT:

RESOLVED, that the Town Board does hereby receive and file the following communications:

- Letter from Orchard Park School District commending the work of Dan Neaverth of the Orchard Park Emergency Response Team and the Orchard Park Police Department, for their professional and compassionate assistance during the H1N1 Clinic.
- Letter from Bill Zimmerman of 13 Chisholm Trail thanking the Engineering Department for repairing the street s on Chisholm Trail.
- Quarterly Commodity Report for Modern Disposal Services.
- HEAP Outreach Schedule which will be on file in the Town Clerk’s Office.

The resolution was unanimously adopted.

17) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN ACKERMAN, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GRABER, TO WIT:

RESOLVED, that the Town Board does hereby receive and file the following reports:

- Building Inspector’s Monthly Report and Building Permits for January 2010.
- Quarterly Report for the cost analysis report for the Town of Orchard Park Stop DWI Program for the last quarter of 2009.
- Annual Compost Facility Year End Report for 2009.
- Orchard Park Senior Center 2009 Year End Report.

The resolution was unanimously adopted.

There being no further business, on motion by Supervisor Colarusso, seconded by Councilman Kaczor, the meeting was adjourned at 7:43 PM (local time).

Respectfully Submitted,

Carol R. Hutton
Town Clerk