

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 15th day of February 2012 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 |
| Eugene Majchrzak | Councilmember |
| Carol Hutton | Town Clerk |
| John C. Bailey | Town Attorney |
| Andrew Geist | Building Inspector |
| Andrew Benz | Chief of Police |
| Frederick Piasecki, Jr. | Highway Superintendent |
| 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."

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

RESOLVED, that the Regular Town Board Meeting held on February 1, 2012 and the Executive/Special Session Meetings held on February 1 & 8, 2012 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 has previously received copies thereof.

The resolution was unanimously adopted.

New Business #1 Town Board to Schedule a Public Hearing for Local Law

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

RESOLVED, that the Town Board schedule a Public Hearing for Wednesday, March 7, 2012, @ 7:00 PM for a proposed Local Law regarding amending Chapter A-148 "Appointments to Boards and Committees" of the Code of the Town of Orchard Park

Adding the following additional Ordinance:

SECTION 1: §A-148-8 Residency

Every person appointed to a board or committee of the Town of Orchard Park shall be a resident of the Town of Orchard Park at the time of his or her appointment and throughout the term of his or her appointment or said person will be ineligible to accept appointment to said board or committee of the Town of Orchard Park or must resign his or her appointment. This requirement may be waived by resolution of the Town Board for non-residents with special expertise pertinent to a specific board or committee.

SECTION 2: EFFECTIVE DATE: This local law shall 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.

The resolution was unanimously adopted.

New Business #2 Town Board to Enter into a Contract with Foit-Albert Associates

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

WHEREAS, an RFP was posted in December 2011 for an Intensive Level Historic Resources Survey to be conducted in the Town of Orchard Park. This intensive Level Survey is a follow-up to the Comprehensive Resource Survey completed in 2009. This 2009 survey identified sixty properties within the Town of Orchard Park that have local, state, and/or national historic registry eligibility, and

WHEREAS, this study has a cost proposal of \$15,000. New York State CLG grant provides \$9,000, and the remaining \$6,000 is from the Town of Orchard Park, and

WHEREAS, Foit-Albert Associates (763 Main St., Buffalo, NY 14203) was the only firm that responded to our December 2011 RFP. It should be noted that only a limited number of firms do this type of survey work. Foit-Albert Associates completed our Town's Comprehensive Resource Survey in 2009, after being selected from four firms that responded to that RFP. In the 2009 survey Foit-Albert Associates far exceeded our expectations in both the scope of services and the quality of their work, and

WHEREAS, with this experience in mind, the Historic Preservation Board rated Foit-Albert Associates as our choice of firms to complete this Intensive Level Study.

NOW, THEREFORE be it

RESOLVED, that the Orchard Park Town Board enter into a contract with Foit-Albert Associates to complete the Intensive Level Historic Resources Survey for the scope of services outlined at a cost of \$15,000, as recommended by the Historic Preservation Board.

The resolution was unanimously adopted.

New Business #3 Town Board to Accept Resignation from the Board of Ethics

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

RESOLVED, that the Town Board accepts with regret, the resignation of Michael B. Risman from the Orchard Park Board of Ethics, effective immediately.

The resolution was unanimously adopted.

New Business #4 Approve Out-of-District Sanitary Sewer Service Agreement

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

WHEREAS, confirmation has been received from the West Seneca Town Engineer that they are able and willing to accept sanitary flow from the Hazel Court Subdivision. Currently, there is an out-of-district sanitary agreement between the Town of West Seneca and Orchard Park Sanitary Sewer District 18, for Carnation Senior Housing. Therefore, an amendment to the current agreement must be finalized to connect Hazel Court to the West Seneca Sewer District, and

WHEREAS, Hazel Court residences are maintaining private septic systems for each individual household. The existing individual sewage disposal systems that service the residents of Hazel Court are 40 plus years old and are marginal or failing. Several residents have voiced complaints that raw sewage has backed up into their yards and homes, which could result in health hazards. These types of operational problems are most likely the result of the systems approaching their normal life span. In 1982, 1,147LF of 8-inch sanitary sewer piping was installed by the Town of Orchard Park with the road reconstruction work to alleviate potential problems Hazel Court residents would have to deal with regarding any failing individual sewage disposal system in the Hazel Court Subdivision. This 'new' system was never tied into a sanitary main and consequently the private systems that were deteriorating in the early 1980's have now well exceeded the life span of their original design. In addition, there have been several phone calls and a petition from residents on Hazel Court humbly requesting help in seeking a connection for their failing systems, and

WHEREAS, in 2004, the Town Board approved the Carnation Senior Housing facility upon two conditions:

1. That the public sewer connection at the right-of-way is public and the design allowed for acceptance of flows from the Hazel Court Subdivision.
2. That the Town of West Seneca agree that Hazel Court may be connected to the West Seneca Sewer System as soon as issues with their system are resolved.

WHEREAS, the Orchard Park Engineering Department inspected and dedicated the Carnation Senior Housing Project's public gravity sanitary sewer system in 2005 under Southwestern Boulevard to allow a connection point for Hazel Court to the Town of West Seneca. As the conditions have been satisfied along with the acceptance from the Town of West Seneca, Hazel Court may now be connected.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the Town Supervisor to sign an agreement to amend the current out-of-district sanitary sewer agreement between the Town of West Seneca and Orchard Park Sanitary Sewer District 18 to include the sanitary flow from the Hazel Court Subdivision.

The resolution was unanimously adopted.

New Business #5 Authorize Attendance to American Public Works Association

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

WHEREAS, the American Public Works Association (APWA) hosts a 2-day conference which provides the most comprehensive training available for those involved in Public Works. Courses given help those involved in Public Works to be up-to-date on regulatory compliance; state-of-the-art fleet and infrastructure maintenance programs to help operate an efficient Public Works facility; new technology

available to streamline operations; and a wide variety of general subjects to provide the Town with the tools needed to efficiently, and effectively, function in today's changing world, and

WHEREAS, the APWA Conference begins on Thursday, March 29th and ends on Friday, March 30th with the opportunity to attend the subject that best suits our needs from "blocks" of sessions on topics such as fleet, infrastructure, transportation, safety, equipment technologies, emergency management, Stormwater Regulatory updates, green infrastructure and sustainability. This day and a half Conference includes lunch on Thursday and Friday, along with the Annual Awards Dinner to honor outstanding Public Works Projects and Professionals. The Town was awarded the NYS Environmental Award in 2010, and

WHEREAS, the APWA 2-day conference is a valuable industry-recognized source of training, which is strongly recommended by those in the field of Public Works and Civil Engineering. Engineering employees have attended this conference at various times before which proved to be time well spent. Engineering attendees will be responsible for their own time to travel to and from the course. The cost is \$250/member/\$300 non-member, which includes the conference courses and all meals for both of us. For cost saving measures, the Engineering employees will share a room as done in the past; that cost is \$97.

NOW, THEREFORE, be it

RESOLVED, that the Town Board authorize Thomas A. Ostrander and Wayne L. Bieler to attend APWA 2012 Annual Conference on March 29th and 30th, 2012 in Utica, New York in an amount not to exceed \$744.

The resolution was unanimously adopted.

New Business #6 Authorize Supervisor to sign a Maintenance Agreement for Emergency Generator

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

WHEREAS, in cooperation with the Maintenance Department, a maintenance contract renewal was obtained from Cummins Northeast, LLC for the Municipal Center's emergency generator. This is a 275kw "Onan" generator, powered by a "Cummins" engine. This contract proposes semi-annual preventative maintenance/inspections to make sure the generator is ready to perform when needed, and

WHEREAS, Cummins Northeast, LLC provided prior maintenance/inspections and has always met expectations and kept our system working properly. The cost for the 2011 season was \$737.25. The current renewal contract for the 2012 season is \$770.13; this represents an increase of 4.5%, and

WHEREAS, there was originally \$44,500 budgeted under A.1620.446 which, per the Maintenance Department, is allocated to execute this agreement for the upcoming season.

NOW, THEREFORE, be it

RESOLVED, that the Town Board authorize the Supervisor to sign an agreement with Cummins Northeast, LLC, 700 Aero Drive, Buffalo New York 14225 for the Orchard Park Municipal Center Emergency Generator-"Planned Maintenance – Renewal" Contract in the amount of \$770.13.

The resolution was unanimously adopted.

New Business #7 Authorize Supervisor to sign a Service Agreement

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

WHEREAS, in cooperation with the Maintenance Department a service contract renewal was obtained from Gerster Trane for the Municipal Center's water chillers. This contract proposes preventative maintenance/inspections to make sure the chillers perform correctly and to cover any and all necessary repairs, and

WHEREAS, Gerster Trane provided prior maintenance/inspections and has always met expectations and kept our system working properly. The cost for the 2011 season was \$4,750.00. The current renewal contract for the 2012 season is also \$4,750.00. Gerster Trane has decided to hold their 2011 pricing with a zero percent increase, and

WHEREAS, there was originally \$44,500 budgeted under A.1620.446 which, per the Maintenance Department, is allocated to execute this agreement for the upcoming season.

NOW, THEREFORE, be it

RESOLVED, that the Town Board authorize the Supervisor to sign an agreement with Gerster Trane, 45 Earhart Drive, Buffalo New York 14221 for the Orchard Park Municipal Center Water Chillers -"Service Agreement – Renewal" Contract in the amount of \$4,750.00.

The resolution was unanimously adopted.

New Business #8 Authorize Recreation Department Purchase of "Quaker Splash" and other items

9) 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 the Recreation Department to purchase necessary items for the creation of the new "Quaker Splash" to be used on Green Lake beginning with the summer of 2012, from T37 Park Land Deposit Account, amount not to exceed \$24,000.00.

Councilman Kaczor stated that the Recreation Commission has requested to use funds from the T37 Park Land Deposit account. Developers have a choice when they build houses to donate land, or submitting a certain dollar amount, in lieu of land for recreation. The Recreation Commission has a plan submitted to the Town for the "Quaker Splash" unit where the money for the unit would be recouped in two years.

The resolution was unanimously adopted.

New Business #9 Town Board to Appoint Deputy Town Attorney

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

RESOLVED, Town Board does hereby appoint Len Berkowitz as the Deputy Town Attorney for 2012 effective, February 9, 2012.

Councilman Kaczor stated that Mr. Berkowitz has decided to take NYS Retirement, and by having him resign for one day and then being reappointed, there are cost savings to the Town.

The resolution was unanimously adopted.

New Business #10 Appointment to the North Buffalo Architectural District Committee

11) 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 Nan Ackerman to the North Buffalo Architectural District Committee for a term of one year, term ending 12/31/2012.

The resolution was unanimously adopted.

New Business #11 Authorize payment of Temporary Town Prosecutor

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

WHEREAS, the Town Prosecutor as appointed by the Town Board at its reorganizational meeting was temporarily unable to perform services for the Town due to a potential conflict of interest, and

WHEREAS, the other individual(s) were required to temporarily perform the duties which would have been performed by the Town Attorney, and

WHEREAS, the Town Prosecutor was not paid for the temporary period in which he was not able to perform such duties,

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the redirection of such Town Prosecutor pay to the individual(s) that actually performed such services for such temporary period.

Supervisor Colarusso stated that the Prosecutor appointed by the Town at the Organizational Meeting was unable to fulfill his obligation for January & February, and John Bailey filled in, and will be compensated for his time.

Councilmember Majchrzak stated that Tim Gallagher, the appointed prosecutor, had to resign from his current position and give notice under the rules he has to follow, before accepting his new position with the Town.

The resolution was unanimously adopted.

New Business #12 Agreement to provide a School Resource Officer for Erie 2 BOCES Alt School

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

RESOLVED, that the Town Board does hereby authorize the Supervisor and the Chief of Police to sign the agreement between the Town of Orchard Park and Erie 2 BOCES to provide a School Resource Officer to the Alternate School on Baker Road. Erie 2 BOCES will reimburse the Town for this service, as recommended by the Chief of Police.

The resolution was unanimously adopted.

New Business #13 Execute the Collective Bargaining Agreement with OP Police Benevolent Assoc.

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

WHEREAS, the Town of Orchard Park and the Orchard Park Police Benevolent Association have negotiated in good faith for a Collective Bargaining Agreement, and

WHEREAS, an agreement in principle was reached between those parties for the term beginning January 1, 2011 and extending through December 31, 2015, and

WHEREAS, said agreement in principle has been reduced to writing, and

WHEREAS, the Orchard Park Police Benevolent Association has ratified said Collective Bargaining Agreement,

NOW, THEREFORE, be it

RESOLVED, that the Town of Orchard Park ratify said Collective Bargaining Agreement with the Police Benevolent Association, and be it further

RESOLVED, that the Supervisor is hereby authorized to execute said Collective Bargaining Agreement on behalf of the Town of Orchard Park, and be it further

RESOLVED, that a fully-executed copy of said Collective Bargaining Agreement be filed with the Town Clerk in the Town records.

Supervisor Colarusso stated that she is excited about this contract, and thanked Councilmembers Majchrzak and Kaczor for their hard work with the PBA in negotiating this contract.

The resolution was unanimously adopted.

New Business #14 Refer to the Planning and Conservation Boards

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 refer the following to the Planning and Conservation Boards: Vastola Heating & Cooling, 3315 Abbott Rd. located on the east side of Abbott Rd., north of Summit Ave., Zoned B-2. request for a Building Permit to construct a new building for their heating and cooling business. (SBL #151.16-5-16.1)

The resolution was unanimously adopted.

BUSINESS FROM THE FLOOR

David Schuster – Mr. Schuster stated the Town Board approved \$4,000 to illuminate a statue that most residents did not want; allowed Ms. Colarusso to fire the cleaning service and hire her brother as a full time union maintenance worker; approved \$7,100.00 for carpeting for the Supervisor’s offices; and asked “who do you represent?” Now the Town is authorizing an expenditure of \$24,000.00 for entertainment at Green Lake and the seniors want a better senior center. He asked when did the Town become responsible for entertainment, and not just the necessary services.

John Mariano – Officer Mariano, President of the Police Benevolent Association, has been involved with negotiating many contracts over the last 15 years. There were many long, difficult, drawn out negotiations, which were a direct result of not have Town officials directly involved. He thanked Mr. Majchrzak for taking the lead for the Town, and helping to negotiate a contract that is fiscally responsible to the Town, and fair to the members of the Orchard Park PBA, in a reasonably short period of time.

John Marlow – Mr. Marlow wanted to know if the Town had contacted Aldi’s Food Store to see if they would place a store in Orchard Park.

ELECTED OFFICIALS & DEPARTMENT HEADS

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 approve the following 2011 Year End Budget Transfers:

| Account Code | Department | Description | Transfer From | Transfer To |
|---------------------|-------------------|-----------------------------|----------------------|--------------------|
| 700.5182.0490 | Lighting Dist. | Service Cost - Electric | 9,943.08 | |
| 700.5182.0520 | Lighting Dist. | Alloc. Cost of Operation | | 9,943.08 |
| | | | <hr/> | <hr/> |
| | | | 9,943.08 | 9,943.08 |
| 800.8160.0405 | Refuse | Contracted Brush Pickup | 30,000.00 | |
| 800.8160.0440 | Refuse | Contracted Services - Basic | 1,977.04 | |
| 800.9040.0813 | Refuse/Comp | Workmens Comp. Ins. | | 25,846.43 |
| 800.9045.0815 | Refuse/Comp | Life Insurance | | 139.60 |
| 800.9060.0814 | Refuse/Comp | Hospital & MediacI Ins. | | 3,609.48 |
| 800.9065.0814 | Refuse/Comp | Flex Plan | | 1,262.39 |
| 800.9080.0818 | Refuse/Comp | Dental | | 1,119.14 |
| | | | <hr/> | <hr/> |
| | | | 31,977.04 | 31,977.04 |
| A.1110.0135 | Town Justice | Court Officers (Part Time) | 1,319.50 | |
| A.1110.0137 | Town Justice | Clerical Personnel | | 1,319.50 |
| | | | <hr/> | <hr/> |
| | | | 1,319.50 | 1,319.50 |

| | | | | |
|--------------|------------------|----------------------------------|-----------|-----------|
| A.1220.0200 | Supervisor | Office Equipment | 140.00 | |
| A.1220.0417 | Supervisor | Trails Task Force | | 140.00 |
| | | | <hr/> | <hr/> |
| | | | 140.00 | 140.00 |
| A.1910.0480 | General | Contingent | 35.00 | |
| A.1340.0451 | Budgeting | Acct. Service | | 35.00 |
| | | | <hr/> | <hr/> |
| | | | 35.00 | 35.00 |
| A.13550.0137 | Assessment | Clerical Salary | 115.02 | |
| A.1355.0110 | Assessment | Sr. Tax Map | | 115.02 |
| | | | <hr/> | <hr/> |
| | | | 115.02 | 115.02 |
| A.1410.0139 | Town Clerk | P/T Clerical - Tax | 1,619.92 | |
| A.1410.0111 | Town Clerk | Dpty. Twn. Clerical Salary | | 677.60 |
| A.1410.0112 | Town Clerk | Dpty. Twn. Clerical Salary - Tax | | 942.32 |
| A.1910.0480 | General | Contingent | 2,094.99 | |
| A.1410.0450 | Town Clerk | Publishing | | 491.65 |
| A.1410.0460 | Town Clerk | Codifn. Of Ordinances | | 1,603.34 |
| | | | <hr/> | <hr/> |
| | | | 3,714.91 | 3,714.91 |
| A.1910.0480 | General | Contingent | 65,619.37 | |
| A.1420.0455 | Town Law | Outside Legal Service | | 65,619.37 |
| | | | <hr/> | <hr/> |
| | | | 65,619.37 | 65,619.37 |
| A.1440.0200 | Engineer | Equipment | 1,049.41 | |
| A.1440.0137 | Engineer | Clerical Personnel | | 25.47 |
| A.1440.0407 | Engineer | Uniform Allow./Replacement | | 1,023.94 |
| | | | <hr/> | <hr/> |
| | | | 1,049.41 | 1,049.41 |
| A.1620.0144 | Buildings | Maintenance Personnel | 673.14 | |
| A.1620.0149 | Buildings | P/T Personnel | | 673.14 |
| A.1620.0445 | Buildings | Remodeling | 621.55 | |
| A.1620.0420 | Buildings | Telephone | | 501.48 |
| A.1620.0426 | Buildings | Jolls House Utility | | 67.36 |
| A.1620.0475 | Buildings | Gasoline | | 52.71 |
| | | | <hr/> | <hr/> |
| | | | 1,294.69 | 1,294.69 |
| A.1670.0400 | Central Services | Office Supplies | 5,198.90 | |
| A.1670.0139 | Central Services | Central Clerical Pool | | 330.00 |
| A.1670.0413 | Central Services | Travel & Conference | | 4,868.90 |
| | | | <hr/> | <hr/> |
| | | | 5,198.90 | 5,198.90 |

| | | | | |
|-------------|----------------------|-------------------------|-------------------|-------------------|
| A.1910.0431 | General | Unalloc. Insurance | 7,325.65 | |
| A.1910.0406 | General | Municipal Assoc. Dues | | 738.15 |
| A.1910.0408 | General | First Aid Expenses | | 1,312.14 |
| A.1910.0462 | General | Tax & Assess. Town Prop | | 3,358.11 |
| A.1910.0465 | General | E. C. Chargebacks | | 1,917.25 |
| | | | <u>7,325.65</u> | <u>7,325.65</u> |
| A.3120.0100 | Police | Police Personnel Sal. | 129,158.41 | |
| A.3120.0409 | Police | Ammunition & Range Fees | 5,041.29 | |
| A.3120.0101 | Police | Personal Services | | 2,295.81 |
| A.3120.0102 | Police | Traffic Safety Grant | | 1,082.96 |
| A.3120.0103 | Police | Court Time | | 2,870.07 |
| A.3120.0104 | Police | Civilian Dispatcher | | 42.15 |
| A.3120.0106 | Police | Buybacks & Holidays | | 15,522.16 |
| A.3120.0110 | Police | Bingo Insp. | | 0.04 |
| A.3120.0111 | Police | Police Overtime | | 107,345.22 |
| A.3120.0475 | Police | Gasoline | | 5,041.29 |
| | | | <u>134,199.70</u> | <u>134,199.70</u> |
| A.3510.0420 | Dog Control | Nuisance Animal Control | 20.45 | |
| A.3510.0419 | Dog Control | Other Expenses | | 20.45 |
| | | | <u>20.45</u> | <u>20.45</u> |
| A.5132.0422 | General Supt. Hwy | Gas | 188.41 | |
| A.5132.0423 | General Supt. Hwy | Water | | 188.41 |
| | | | <u>188.41</u> | <u>188.41</u> |
| A.1910.0480 | General | Contingent | 32,489.57 | |
| A.7020.0149 | Recreation | Recreation Personnel | | 32,489.57 |
| A.7020.0421 | Recreation | Electric | 515.85 | |
| A.7020.0419 | Recreation | Other Expenses | | 295.72 |
| A.7020.0420 | Recreation | Telephone | | 220.13 |
| | | | <u>33,005.42</u> | <u>33,005.42</u> |
| A.7110.0422 | Parks | Gas | 241.50 | |
| A.7110.0423 | Parks | Water-ECWA & Village | | 241.50 |
| | | | <u>241.50</u> | <u>241.50</u> |
| A.7610.0139 | Sr. Ctz. | P/T Clerical | 1,593.83 | |
| A.7610.0100 | Sr. Ctz. | Sr. Center Salaries | | 1,593.83 |
| A.7610.0421 | Sr. Ctz. | Electric | 1,756.43 | |

| | | | | |
|--------------|---------------|--------------------------------|------------|------------|
| A.7610.0401 | Sr. Ctz. | Sr. Citizen Van Exp. | | 1,756.43 |
| | | | 3,350.26 | 3,350.26 |
| A.1910.0480 | General | Contingent | 235.86 | |
| A.8160.0410 | Refuse | Brush - Cont. Container Haul | | 235.86 |
| | | | 235.86 | 235.86 |
| A.1910.0480 | General | Contingent | 621.25 | |
| A.8730.0100 | Conservation | Board Members | | 621.25 |
| | | | 621.25 | 621.25 |
| A.9010.0810 | General | State Retirement | 181,113.32 | |
| A.9040.0813 | General | Workmens Comp. Ins. | | 180,458.15 |
| A.9045.0815 | General | Life Insurance | | 655.17 |
| | | | 181,113.32 | 181,113.32 |
| B.1680.0200 | P/T Info Tech | Computer Hardware | 764.77 | |
| B.1680.0444 | PT Info Tech | Copier Lease | | 764.77 |
| B.3620.0111 | Bldg. Insp. | Asst. Code Enforcement Officer | 1,197.76 | |
| B.36920.0109 | Bldg. Insp. | Fire Inspection Officer | | 1,197.76 |
| B.3620.0445 | Bldg. Insp. | Vehicle Repair & Maintenance | | |
| B.3620.0475 | Bldg. Insp. | Gasoline | | |
| B.3620.0413 | Bldg. Insp. | Travel & Conference | 507.52 | |
| B.3620.0137 | Bldg. Insp. | Clerical Personnel | | 57.52 |
| B.3620.0407 | Bldg. Insp. | Uniform Allow./Replacement | | 450.00 |
| B.8010.0413 | Zoning | Travel & Conference | 300.00 | |
| B.8010.0450 | Zoning | Publishing | 232.05 | |
| B.8010.0139 | Zoning | Zoning Clerk (1/2) | | 532.05 |
| B.9020.0413 | Planning | Travel & Conference | 579.30 | |
| B.8020.0139 | Planning | Clerk (1/2) | | 357.30 |
| B.8020.0141 | Planning | Temporary PT Clerk | | 222.00 |
| B.9060.0814 | P/T General | Hospital & Med. Ins. | 14,549.44 | |
| B.9065.0814 | P/T General | Flex Plan | 1,688.10 | |
| B.9080.0818 | P/T General | Dental Ins. | 4,278.00 | |
| B.9090.0817 | P/T General | Medicare | 1,346.73 | |
| B.1910.0480 | P/T General | Contingent | 1,423.38 | |
| B.9030.0812 | P/T General | Social Security | 4,105.66 | |
| B.9010.0810 | P/T General | State Retirement | | 3,563.16 |
| B.9030.0812 | P/T General | Social Security | | |
| B.9040.0813 | P/T General | Workmens Comp. Ins. | | 13,821.05 |
| B.9045.0815 | P/T General | Life Insurance | | 7.10 |
| | | | 30,972.71 | 30,972.71 |

| | | | | |
|--------------|---------|-------------------------|-----------|-----------|
| DA.5142.402 | Highway | Snow - Supplies | 407.53 | |
| DA.5142.0144 | Highway | Snow - Laborers | | 407.53 |
| DA.9060.0814 | Highway | Hospital & Medical Ins. | 36,006.27 | |
| DA.9010.0810 | Highway | State Retirement | | 36,006.27 |
| | | | 36,413.80 | 36,413.80 |

The resolution was unanimously adopted.

Supervisor Colarusso stated that Benderson Development has contacted the Town regarding a new food store to go into their plaza, but they have not let the Town know who the interested company is. She then stated that she is not going to go forward with the rug purchase. The monies are instead going towards a new handicap door in the back, as it is difficult for seniors and handicap people to open it.

Councilmember Majchrzak thanked the members of the PBA negotiating team and Councilmember Kaczor for a well conducted negotiation process that was handled in good faith. Some of the highlights are, that it is a 5 year contract from 1/1/2011 to 12/31/2015, with no raises for the first three years, in 2014 a 3.25% raise, and in 2015 a 3.50% raise. Health care participation – 10% for new hires, 5% for current members. There will be no layoffs during this contract. Councilmember Majchrzak stated that this process was handled without any cost for attorneys until the final meeting, saving the Town thousands of dollars. He noted that the negotiations started at a point close to what the final agreement would be and progressed from there. He stated that it was one of the most rewarding, productive negotiations that he has been involved with.

Councilmember Kaczor said that over the last 10 years, negotiations were left in the hands of attorneys. This time Councilmember Majchrzak stepped up, offered to take the lead, and stated he would like this completed in 8 weeks. To do that, they had to establish the main areas to be addressed, and then work to resolve those differences. Councilmember Kaczor said he was impressed with the whole process and the final outcome. He hopes that the rest of the negotiations will go as well, as it is in the best interest of the Town for everyone to work together.

Highway Superintendent Fred Piasecki said the Highway Department is doing drainage work, and brush pickup.

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

RESOLVED, that the Town Board does hereby authorize the approval of all entries on Warrant #4 following auditing by members of the Town Board and in the funds indicated:

| | |
|---------------------------|-------------|
| General Fund | \$36,140.64 |
| Public Safety Fund | \$9,008.57 |
| Part Town Fund | \$417.38 |
| Risk Retention | |
| Cemetery Fund | |
| Highway Fund | \$46,858.05 |
| Special District | \$35,212.01 |
| Trust & Agency | \$238.18 |
| Capital Fund | \$1,266.59 |

The resolution was unanimously adopted.

VII COMMUNICATIONS:

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

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

- Association of Erie County Governments Certified Resolution recognizes the need for safe infrastructures, the closing of the South Cascade/Miller Rd. Bridge across the Cattaraugus Creek has created extreme hardship for Springville and Concord as well as Erie County. The Association implores the NYS Department of Transportation to complete emergency repairs as soon as possible to reopen the bridge.
- Association of Erie County Governments urges Governor Andrew M. Cuomo and the State Legislature to exempt the Municipalities of Erie County from the Federal Highway Administration's latest Uniform Traffic Control Devices (UTCD) National Standard for Street Signs, and to cease this practice and adopt only those FHWA traffic control standards that create no hardship on local government.

The resolution was unanimously adopted.

VIII REPORTS:

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

RESOLVED, that the Town Board does hereby receive & file the following report:

- Building Inspector's Monthly Report for the month of January, 2012

The resolution was unanimously adopted.

There being no further business, on motion by Supervisor Colarusso seconded by Councilmember Kaczor, the meeting was adjourned at 7:44 PM (local time).

Respectfully Submitted,



**Carol R. Hutton
Town Clerk**