

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 21st day of February 2007 at 7:00 P.M., (local time). The meeting was called to order by the Supervisor and there were:

- PRESENT AT ROLL CALL:**
- | | |
|-------------------------|------------------------|
| Mary Travers Murphy | Supervisor |
| Nancy Ackerman | Councilwoman |
| David Kaczor | Councilman |
| Mark Dietrick | Councilman |
| Janis Colarusso | Town Clerk |
| Leonard Berkowitz | Town Attorney |
| Andrew Geist | Building Inspector |
| Samuel McCune | Chief of Police |
| Frederick Piasecki, Jr. | Highway Superintendent |
| Wayne Bieler | Town Engineer |
- ABSENT:** Deborah Yeomans Councilwoman

The Supervisor 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 COUNCILWOMAN ACKERMAN, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN KACZOR, TO WIT:

RESOLVED, that the minutes of the Meeting of the Town Board held on February 7, 2007 and the Executive Session Minutes for February 7, 2007, 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 Schedule Public Hearing for Premium Coffee Relocating into an Empire Zone

2) 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 schedule a Public Hearing, Wednesday, March 21, 2007 at 7:00 PM, for the re-location of Premium Coffee, Inc., from the Town of Orchard Park to the City of Lackawanna Empire Zone, and be it further

RESOLVED, that the Town Board does hereby direct the Town Clerk to publish due notice thereof.

Councilman Kaczor explained that in order for a company to receive all the benefits of an “Empire Zone”, they need the consent to move from the municipality that they are currently in.

The resolution was unanimously adopted.

A.1910.0462	General	Taxes and Assess on Town Property		115.73
			115.73	<u>115.73</u>
A.1010.0413	Town Board	Travel & Conference	3,000.00	
A.1220.0200	Supervisor	Office Equipment	1,500.00	
A.1220.0400	Supervisor	Office Supplies	2,634.64	
A.1220.0419	Supervisor	Other Expenses	816.28	
A.3120.0104	Police	Civilian Dispatcher	3,416.19	
A.3120.0137	Police	Clerical Personnel	4,101.00	
A.3120.0215	Police	Patrol Cars	22.58	
A.3120.0407	Police	Uniform Allo./Repl.	162.87	
A.3120.0409	Police	Ammun. & Range Fees	68.05	
A.3120.0412	Police	Mileage Reimbursement	131.92	
A.3120.0413	Police	Travel & Conference	12.57	
A.3120.0414	Police	Training Aids	46.54	
A.3120.0418	Police	Other Expenses	111.26	
A.3120.0419	Police	Union Contract Travel	256.77	
A.3120.0449	Police	Small Equipment Repairs	462.01	
A.3120.0451	Police	Insurance Deductible	1,956.01	
A.3120.0475	Police	Gasoline	585.69	
A.9010.0810	General	Retirement	2,027.45	
A.9015.0811	General	Police Retirement	82,665.76	
A.9030.0812	General	Social Security	10,974.18	
A.9060.0814	General	Hospital & Med. Ins.	50,115.45	
A.3120.0110	Police	Salary of Bingo Inspector		0.08
A.3120.0100	Police	Personnel Salary		163,992.05
A.3120.0105	Police	Police Matron		1,075.09
			<u>165,067.22</u>	<u>165,067.22</u>
A.1620.0422	Buildings	Gas	6,087.54	
A.7020.0200	Recreation	Office Equipment	745.91	
A.7020.0201	Recreation	Playground Equipment	3,106.12	
A.7020.0402	Recreation	Arts & Crafts Supplies	244.09	
A.7020.0419	Recreation	Other Expenses	109.48	
A.7020.0420	Recreation	Telephone	1,042.71	
A.7020.0422	Recreation	Gas	709.09	
A.7020.0433	Recreation	Special Events	1,113.04	
A.7020.0449	Recreation	Arts & Culture	18.69	
A.7020.0450	Recreation	Publishing	111.00	
A.7020.0459	Recreation	Training	52.60	
A.7020.0463	Recreation	Transportation	135.76	
A.7020.0478	Recreation	Building Rentals	23.21	
A.7020.0486	Recreation	Recreation Commission	120.00	
A.7020.0488	Recreation	Youth Service Organizations	227.20	
A.7020.0111	Recreation	Salary of Asst. Dir. of Rec.	850.32	
A.7020.0137	Recreation	P/T Clerical		538.59
A.7020.0421	Recreation	Electric		434.89
A.7020.0423	Recreation	Village Water		12,135.90
A.7020.0149	Recreation	Salary of Recreation Personnel		1,587.38
			<u>14,696.76</u>	<u>14,696.76</u>

A.0000.0599	Fund Balance	Use of Historian Reserves (A.0884)	482.00	
A.7510.000.419	Historian	Other Expenses		482.00
			<u>482.00</u>	<u>482.00</u>
A.7610.0410	Senior Citizens	Sr. Center Operating Expenses	4,025.42	
A.7610.0419	Senior Citizens	Other Expenses	285.48	
A.7610.0100	Senior Citizens	Sr. Center Salaries		2,375.31
A.7610.0401	Senior Citizens	Sr. Citizens Van Expenses		560.04
A.7610.0421	Senior Citizens	Electric		1,032.44
A.7610.0423	Senior Citizens	Village Water		343.11
			<u>4,310.90</u>	<u>4,310.90</u>
A.8730.0470	Conservation Board	Cost/Benefit Report	175.00	
A.8730.0200	Conservation Board	Computer Remodeling		175.00
			<u>175.00</u>	<u>175.00</u>
A.1220.0445	Supervisor	Maintenance of Vehicle	1,897.31	
A.1620.0419	Buildings	Other Expenses	2,031.66	
A.1620.0420	Buildings	Telephone	6,413.16	
A.1620.0421	Buildings	Electric	5,679.98	
A.1670.0401	Central Services	GIS Supplies	1,680.00	
A.1670.0411	Central Services	Postage	17,642.69	
A.1670.0419	Central Services	Central Copy Supplies	2,266.69	
A.1670.0440	Central Services	Radio Central Maintenance	3,934.00	
A.1670.0441	Central Services	Computer Hardware	1,154.03	
A.1670.0442	Central Services	Computer Software	3,767.85	
A.1670.0443	Central Services	Computer Maintenance	3,734.35	
A.1670.0446	Central Services	Maintenance Agreement	1,449.11	
A.1910.0431	General	Unallocated Insurance	80,034.92	
A.1910.0465	General	E.C. Chargeback's	4,062.40	
A.7610.0422	Senior Citizens	Gas	2,303.52	
A.9045.0815	Benefits	Life Insurance	920.75	
A.9060.0814	Benefits	Hospital & Med. Ins.	2,138.93	
A.9070.0816	Benefits	Unemployment Insurance	3,476.83	
A.9080.0818	Benefits	Dental Insurance	5,571.20	
A.9090.0817	Benefits	Medicare	3,548.50	
A.9065.000.814	Benefits	Flex Plan Waiver		
A.9090.000.817	Benefits	Medicare		
A.9040.0813	Benefits	Workers Comp. Insurance		155,502.25
A.9065.0817	Benefits	Insurance Waivers	16,800.00	
A.9065.0814	Benefits	Flex Plan Waiver		15,005.63
			<u>170,507.88</u>	<u>170,507.88</u>
B.9010.0810	P/T	State Retirement	465.00	
B.1670.0130	P/T	Comp. Tech. & GIS Admin.		465.00
			<u>465.00</u>	<u>465.00</u>
B.9010.0810	P/T	State Retirement	1,444.51	
B.8010.0139	Zoning	Zoning Clerk 1/2		1,364.51
B.8010.0456	Zoning	Professional Service		80.00
			<u>1,444.51</u>	<u>1,444.51</u>

B.9010.0810	P/T	State Retirement	2,143.67	
B.8020.0139	Planning	Clerk (1/2)		1,345.01
B.8020.0141	Planning	Temporary PT Clerical		718.50
B.8020.0413	Planning	Travel & Conference		21.00
B.8020.0456	Planning	Professional Services		59.16
			<u>2,143.67</u>	<u>2,143.67</u>
B.9010.0810	P/T	State Retirement	594.27	
B.9030.0812	P/T	Social Security		538.82
B.9065.0814	P/T	Flex Plan		55.45
			<u>594.27</u>	<u>594.27</u>
DA.9080.0818	Highway	Dental Insurance	445.38	
DA.9070.0816	Highway	Unemployment Insurance		445.38
			<u>445.38</u>	<u>445.38</u>
800.8160.0413	Refuse	SWMP Charges	644.50	
800.8160.0452	Refuse	Recycling Bin Expense		664.50
			<u>644.50</u>	<u>664.50</u>

The resolution was unanimously adopted.

Councilman Kaczor stated that the Town received a letter from the New York State Recreation and Parks Society announcing that Recreation Director, Edward Leak has achieved the status of "Certified Park and Recreation Professional". This nationally recognized certification acknowledges the high level of dedication and competency in the field of recreation.

Town Attorney Berkowitz gave a brief report on the Association of Towns meeting in New York City and stated that he will have a full written report for the Town Board.

Highway Superintendent Piasecki stated the Highway Department is currently cutting and pushing back the snow banks in the Town. This will make for easier drainage and room to plow any new snow.

County Legislator John Mills stated that he would like the Town Board, Highway Superintendent and the Town Engineer to compile a list of County owned roads, bridges, drainage area and right of ways that are considered to be a public safety problem in the Town of Orchard Park and send it to him by the middle of March, which he will present to the County. This will serve to put the County on notice that repairs are needed. Legislator Mills also stated that Erie County and Erie Community College have come to an agreement to bring the Central Police Services Police Academy under the auspices of Erie Community College.

6) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR TRAVERS MURPHY, 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 #4 following auditing by members of the Town Board and in the funds indicated:

General Fund	\$134,695.78
Part Town Fund	\$6,974.84
Risk Retention	\$0.00
Cemetery Fund	\$0.00
Highway Fund	\$79,194.49
Special Districts	\$100,544.26
Trust & Agency	\$1,502,762.50
Capital Fund	\$135,849.21

The resolution was unanimously adopted.

Receive & File Communication and Reports

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

RESOLVED, that the Town Board does hereby receive and file the following Communication listed on the agenda: Erie County Department of Public Works; As required under §234 of the New York State Highway Law, you are hereby notified that the load limit posting for the Freeman Road bridge has been lowered from "Not Posted for Load" to 16 tons. It has been determined that this posting is required due to the deteriorated condition of the bridge, and be it further

RESOLVED, that the Town Board does hereby receive and file the following Report listed on the agenda: Town Clerk's Annual Report for the Year 2006.

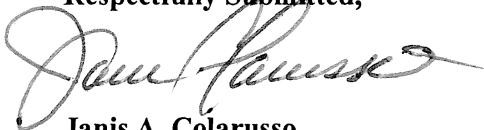
The resolution was unanimously adopted.

BUSINESS FROM THE FLOOR

David Schuster – 5385 South Freeman Road: Mr. Schuster wished to discuss his experience with the Ethics Committee. He presented two matters for investigation to the Ethics Committee last year and he received a final reply to his second issue on Jan. 10th of this year. He was disappointed with the findings, but was more disappointed with the process. He attended a majority of the Ethics committee meetings last year and he would not call any members unethical. He does feel that it is impossible for anyone on the committee to be fair and partial considering their ties to the Town Board. He would therefore like to add his voice to those calling for the dissolving of the current Ethics Committee and establishing a new independent one comprised of less partial individuals.

There being no business from the floor, on motion by Councilwoman Ackerman, seconded by Councilman Kaczor, to wit: the meeting was adjourned at 7:20 PM (local time).

Respectfully Submitted,



Janis A. Colarusso
Town Clerk

