

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 1st day of March 2006 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 |
| Stanley A. Jemiolo, Jr. | Councilman |
| David R. Kaczor | Councilman |
| Mark C. 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:** Nancy W. Ackerman 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 SUPERVISOR TRAVERS MURPHY, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN JEMIOLO, TO WIT:

RESOLVED, that the minutes of the Town Board Meeting(s) held on February 1, 2006, February 15, 2006, and the Special Meeting/Executive Session held on February 15, 2006, 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 Resolution in Support of the Eden Agricultural District

2) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR TRAVERS MURPHY, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN JEMIOLO, TO WIT:

WHEREAS, the Town Board of Orchard Park recognizes the importance of agriculture in the Town and surrounding areas.

NOW, THEREFORE, be it

RESOLVED, that the Town Board of Orchard Park supports the Eden Agricultural District (Erie County Agricultural District No. 2) as it protects lands uses or available for agricultural endeavors, and it helps working farmers maintain their lands and advance their business.

The resolution was unanimously adopted.

New Business #2 Highway Superintendent to Purchase 2 New 2006 International Trucks

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

WHEREAS, in accordance with our truck replacement program, the Highway Department would like to purchase Two (2) New Trucks to replace two twenty plus year old leaf trucks with high mileage and need extensive mechanical and bodywork to keep them on the road, and

WHEREAS, the cost of these Two (2) New Trucks would total \$135,271.38. Both trucks are being purchased under state bid for an individual cost of \$67,635.69 each. The Town would be able, under an existing grant, to be reimbursed 50% of the purchase price, which is \$33,817.85 per truck, or a total reimbursement of \$67,635.69 for both trucks. A cost savings of between \$7,000.00 and \$10,000.00 can be realized on each truck by purchasing the 2006 models due to the new 2007 emission standard which will add that cost

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the Highway Superintendent to purchase Two (2) New 2006 International Trucks 7400 SFA 4x2 cab and chassis for \$135,271.38 under New York State Bid Contract, as stipulated in the budget.

The resolution was unanimously adopted.

New Business #3 Town Engineer Advertising a Bid Opening for the Jolls House Renovation Project

4) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN DIETRICK, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN JEMIOLO, TO WIT:

RESOLVED, that the Town Board does hereby authorize the advertisement and opening of bids for the Johnson-Jolls Building Exterior Renovation Project for April 13, 2006 at 11:00 AM in the Supervisor's Meeting Room, and be it further

RESOLVED, that the Town Clerk publish due notice in the official newspaper of the Town.

The resolution was unanimously adopted.

New Business #4 Approve the Out-of-Water District for Joseph Cervi, 6141 Ward Road

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

WHEREAS, that the Town has received a request for Out-of-District Water service for Joseph Cervi, 6141 Ward Road, as the house is located outside the boundaries of Orchard Park Water District #17, in the Town of Boston, and

WHEREAS, the Town has a completed an Out-of-District Residential Water Service Agreement and received a Resolution from the Town of Boston agreeing to Mr. Cervi's request to obtain water from the Town of Orchard Park.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby approve the Out-of-District Water Service Agreement between the Town of Orchard Park Water District #17 and Joseph Cervi, 6141 Ward Road, Boston NY, as recommended by the Town Engineer and Town Attorney.

The resolution was unanimously adopted.

New Business #5 Appoint Paul Warriner to the Position of Network Coordinator

6) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR TRAVERS MURPHY, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN JEMIOLO, TO WIT:

RESOLVED, that the Town Board does hereby approve the appointment of Raymond P. (Paul) Warriner, 53 Gaffney Road, Lockport NY, as per New York State Civil Service List for the position of Network Coordinator for the Town of Orchard Park, Non-Union Master Wage Scale Job Classification of JC65E at \$63,876.80, off the Employees Classification, in the Town of Orchard Park Personnel Policy, and to be included in Group 3.

The resolution was unanimously adopted.

New Business #'s 6, 7, 8 & 9 Refer to the Planning Board and/or Conservation Board

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

RESOLVED, that the Town Board does hereby refer the following requests to the Planning Board and/or Conservation Board:

- Target Corporation, 5622 Amanda Lane: Requesting to build an expansion of 21,534 +/- sq. ft. to their present store. The purpose of the remodel is to improve the shopping experience for their present guests.
- Curbell, 7 Cobham Drive: Requesting to add 31 vehicle parking spots to their present parking lot and to enhance the dumpster area.
- J. Mills Distributing, 3360 Benzing Road: Requesting to build an expansion of 9,000 sq. ft. addition to the present building.
- Polymer Conversions, property located on Big Tree Road between Rt. 219 and the North side of California Road, Zoned R-3: Requesting to rezone the present house and the land behind it from R-3 to I-1, to use the existing house for more office space and the land behind it for parking.

The resolution was unanimously adopted.

ELECTED OFFICIALS AND DEPARTMENT HEADS

8) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR TRAVERS MURPHY, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN JEMIOLO, TO WIT:

RESOLVED, that the Town Board does hereby authorize the following budget transfer, as requested by the Town Attorney:

\$138.00	From: A.1420.0419	Other Expenses
	To: A.1420.0413	Travel & Conference

The resolution was unanimously adopted.

Supervisor Travers Murphy stated that the Town received a communication from the New York State Department of Transportation in response to the request of Former Supervisor Cudney from the Public Safety Committee to review the Traffic Conditions on Route 20A @ Route 240/277 intersection. The Town Clerk has it filed in her office if anyone would like to review the response from the State.

Supervisor Travers Murphy stated the Orchard Park/Hamburg Business and Professional Women’s Club is dedicated to Women Helping Women, and their Mission Statement: To achieve equity for all women in the workplace through advocacy, education, and information, and that the Town Board of the Town of Orchard is hereby acknowledging the importance of all professional women by designating March as “Women’s History Month”.

Town Engineer Wayne Bieler announced that the Stormwater Pollution Prevention/Good Housekeeping for Municipal Operations Training would be held for Municipal Officials and personnel on April 12, 2006 at ECC South Campus from 9:00 AM until 12:00 PM and April 13, 2006 at ECC North Campus from 9:00 AM until 12:00 PM. The classes are free of charge.

Department Heads from the Floor: No one spoke.

State and County Representatives: No one spoke.

9) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR TRAVERS MURPHY, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN JEMIOLO, TO WIT:

RESOLVED that the Town Board does hereby authorize the approval of all entries on Warrant #5 following auditing by members of the Town Board and in the funds indicated:

General Fund	\$163,381.87
Part Town Fund	\$7,845.37
Risk Retention	0.00
Cemetery Fund	0.00
Highway Fund	\$64,186.92
Special Districts	\$7,558.26
Trust & Agency	\$1,558,596.64
Capital Fund	\$19,167.77

The resolution was unanimously adopted.

Communications

10) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN JEMIOLO, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN DIETRICK, TO WIT:

RESOLVED, that the Town Board does hereby receive & file the following Communication as listed on the agenda: State of New York Department of Transportation: Completed the traffic study concerning Route 20A at Route 240/277.

The resolution was unanimously adopted.

Report (Not listed on the agenda.)

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

RESOLVED, that the Town Board does hereby receive and file the following Report (not listed on agenda): 2006 Association of Towns Annual Meeting submitted by Town Attorney Berkowitz.

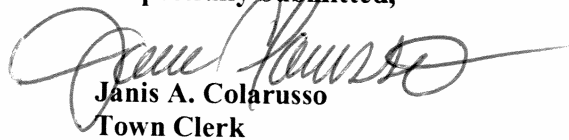
The resolution was unanimously adopted.

BUSINESS FROM THE FLOOR

Marion Snyderman, 38 Woodview Court: She stated that Orchard Park Village Mayor Wilson has submitted a grant proposal to Senator Volker for a management study of Smokes Creek to determine the cause of flooding in the Woodview and Highland area. She obtained letters in support from her neighbors at the suggestion of Mayor Wilson. Ms. Snyderman told the Town Board that the homeowners are willing to assist in any way possible to help solve the problem. Councilman Kaczor thanked Ms. Snyderman on behalf of the community for all of the work she has done over the past months.

There being no further business from the floor, on motion by Councilman Jemiolo, seconded by Councilman Kaczor, to wit: the meeting was adjourned at 7:26 PM (local time).

Respectfully Submitted,



Janis A. Colarusso
Town Clerk

