

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 17th day of April, 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
	Eugene Majchrzak	Councilmember
	Kathleen Swarbrick	Deputy 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:	Carol Hutton

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 April 3, 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.

Old Business #1 Approve Site Plan for Krog Corp. Big Tree Road

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

WHEREAS, on June 6, 2012, the Town Board adopted a resolution, with conditions and stipulations, for the Krog Corp. Quaker 20A LLC Medical Park. The project is to construct a 167, 249 +/- SF Medical Park as submitted on April 11, 2013 by Krog Corp. Quaker 20A LLC for the vacant land located on the south side of Big Tree Road, east of Route 219 (adjacent to the First Baptist Church), Zoned D-R, as recommended by the Planning Board, and

WHEREAS, the Town Engineer recommends the Town Board amend the June 6, 2012 adopted resolution for this project to permit the Building Department to proceed with the issuance of a Building Permit with this corrected conditions and stipulations. The Krog Corporation has completed site plans, SWPPP etc. for the site with the alignment of the entrance with South Taylor Road.

NOW, THEREFORE, be it

RESOLVED that the Town Board does hereby approve the amended and additional Condition/Stipulations to the June 6, 2012 adopted resolution for the Krog Corp. Quaker 20A LLC Medical Park, as recommended by the Town Engineer and Town Attorney as follows:

1. Rescind: stipulation #3 of Resolution #2 of the June 6, 2012 Town Board Meeting stating “Final Engineering Approval must be granted prior to issuing a Certificate of Occupancy”.
2. Rescind: Stipulation #4, of Resolution #2 of June 6, 2012 Town Board Meeting stating “The Planning Board Chairperson must approve the Photometrics Lighting Plan, Building elevations, Façade Plans and Final Engineering approval prior to issuing a Building Permit”.
3. Add: 3A The Planning Board Chairperson must approve the Photometrics Lighting Plan, Building elevations, Façade Plans and the Building Permit is only to be issued for the foundation and structural steel of the project without Final Engineering Approval. Site work can be completed with the exception of work in the 100 year flood plain until USACOE approval. Interior plumbing work located on the floor can also be completed.
4. Add: 4A, with the completion of the site items associated with the creek/bridge entrance with South Taylor Road and the NYSDOT Traffic and Safety Mitigation approved by NYSDOT, Final Engineering Site Plan Approval can be granted. With Final Engineering Site Plan Approval granted, the complete Building Permit is authorized to be issued.

The resolution was unanimously adopted.

New Business #1 “Housing Opportunities Made Equal Day”

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

WHEREAS, Housing Opportunities Made Equal (HOME) was founded in 1963 by Clergy and Laity from the Buffalo Area Council of churches, who were concerned about discrimination in the Buffalo-Niagara housing market, and

WHEREAS, HOME began as a true pioneer in the defense for those who did not have a voice, and

WHEREAS, HOME began as an all-volunteer organization dedicated to work to eliminate the most visible racial barriers in multifamily housing rentals and real estate sales, and

WHEREAS, today the nearly four hundred members paying dues throughout Western New York are deep-rooted in their belief and confidence in the Mission Statement of **HOME**, and

WHEREAS, the need for **HOME** continues to grow as the only agency in Western New York providing comprehensive services for victims of housing discrimination. These services include recording, investigation, paralegal counseling, client advocacy to reconcile validated complaints, emotional support for victims and preparation for legal action, and

WHEREAS, following settlement of the historic Comer housing segregation suit, **HOME** was chosen in a national search as lead agency to operate the Greater Buffalo Community Housing Center, which since 1999 has helped nearly 4,000 families, and

WHEREAS, in 2009 **HOME** assembled nearly \$2.7 million in public and private financial support to save a vacant but architecturally significant building in Buffalo, built 10 units of barrier-free, energy-efficient affordable housing known as Oxford Commons. This is now the permanent ‘Home for HOME’!, and

WHEREAS, April is 'Fair Housing Month' throughout our Country, HOME will enthusiastically celebrate their 50th Anniversary as they prepare for the future...**BUILDING ON THE LEGACY.**

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Orchard Park does hereby declare Friday, April, 26, 2013 'Housing Opportunities made Equal Day' in Orchard Park, New York.

The resolution was unanimously adopted.

New Business #2 Appointment – Erie County Environmental Management Council

4) 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 appoint Ms. Anne Bergantz to the Erie County Environmental Management Council, for a two year term to expire May 31, 2015.

The resolution was unanimously adopted.

New Business #3 2013 Pricing for Compost and Mulch at Town Compost Facility

5) 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 following pricing for Compost and Mulch at the Town Compost Facility, as recommended by the Highway Superintendent.

- Residents - \$15.00 per cubic yard
- Non- residents \$23.00 a cubic year

The resolution was unanimously adopted.

New Business #4 Free Mulch Day for Orchard Park Residents

6) 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 Free Mulch Day for the residents of Orchard Park to be held on May 11, 2013 from 8:00am to 4:00pm. The 1st cubic yard will be free, the 2nd cubic yard will be \$7.50 and any further purchases will be at full price of \$15.00 a cubic yard.

The resolution was unanimously adopted.

New Business #5 Assistant Dog Control Officer to attend NYS Agriculture & Markets Training

7) 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 Wendy Mulawka, Assistant Dog Control Officer, to attend the NYS Agriculture and Markets two day training seminar on April 23rd and 24th 2013

in Webster, NY. The cost to the Town would be \$65.00 for registration and mileage reimbursement, as recommended by the Chief of Police

The resolution was unanimously adopted.

New Business #6 Lt. Dearborn to attend TASER Instructor Course

8) 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 Lt. Bruce Dearborn to attend the TASER Instructor Course on April 29th & 30th 2013, in Amherst, NY. The cost to the Town would be \$350.00 for registration, as recommended by the Chief of Police.

The resolution was unanimously adopted.

New Business #7 Recreation Appointments

9) 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 authorize the following Recreation Department appointments, as recommended by the Recreation Director. These appointments are dependent upon the applicants providing the required certifications.

2013 Fall Winter Spring Seasonal part time Staff Appointments

<u>Name</u>	<u>Address</u>	<u>Rate</u>	<u>Position(Title*)</u>
Kathleen Goodman	132 Meadowbrook	\$15.00	PT6-D (Att)

Summer Seasonal Part Time Appointment Effective as of May 25 2013

Liam Allman	190 Highland Ave	\$9.00	PT2- B (Att)
Kristin Anders	24 Hampton Ct	\$9.00	PT2- B (LG)
Mackenzie Anderson	7420 Chestnut Ridge Rd	\$9.00	PT2- B (Att)
Allison Anstett	4957 Marilyn Dr	\$11.00	PT3-E (Att)
Katie Augustine	2960 Bullis Rd	\$11.00	PT3-E (Att)
Nicole Augustine	2960 Bullis Rd	\$11.00	PT3-E (LG)
Sarah Badagliacca	7274 Jewett Holmwood	\$9.50	PT2-D (LG)
Kevin Batorski	5976 Elmhurst Rd	\$8.50	PT1-E (LG)
Jessica Battaglia	30 Norwood Lane	\$9.00	PT2-B (LG)
Robyn Baun	4586 Abbott Rd	\$8.50	PT1-E (Att)
Leah Berst	76 Ashley Dr	\$8.50	PT1-E (Att)
Aimee Beyette	11510 Glenwood Rd	\$11.00	PT3-E (Att)
Tressa Bogner	26 Oakland Place	\$10.50	PT3-C (Att)
Christa Bouquard	35 N. Davis St	\$8.50	PT1-E (Att)
Andrea Buchanan	4698 Parker Rd	\$8.50	PT1-E (Att)
David Buczek	680 Indian Church Rd	\$8.50	PT1-E (Att)
Toby Burns	4128 North Freeman Rd	\$15.00	PT6-D (Att)
Jennifer Buskus	887 W. Creekbend Dr	\$10.50	PT3-C (Att)
Matthew Castillos	5790 Scherff Rd	\$8.50	PT1-E (Att)
Sarah Chamberlin	12805 Whitney Rd	\$8.50	PT1- E (LG)
Corinne Christopherson	43 Graystone Lane	\$8.50	PT1-E (Att)
Alexander Ciolek	4475 Transit Rd	\$9.00	PT2-B (LG)
Anthony Cimorelli the Third	7464 Crestwood Circle	\$8.50	PT1-E (Att)

Harrison Clough	152 Tanglewood DR	\$8.50	PT1-E (Att)
Meghan Clough	152 Tanglewood Dr	\$9.00	PT2-B (Att)
Amanda Cody	73 Meadow Run	\$8.50	PT1-E (Att)
Grace Coyle	26 Edgewater Dr	\$9.00	PT2- B (LG)
Emily Crow	1951 Davis Rd	\$9.00	PT2- B (Att)
Paige Cuddihy	3694 Eckhardt Rd	\$9.00	PT2- B (Att)
Janee Deck	4 Lancaster Lane	\$8.50	PT1- E (Att)
Tiffany Dingeldey	6830 Canterbury	\$8.50	PT1- E (Att)
Alexander Drainville	12 Swallow Lane	\$9.00	PT2- B (Att)
Jonathan Duffy	4881 Sunway Lane	\$8.50	PT1-E (Att)
Katharine Dunbar	242 Stonehenge Dr	\$8.50	PT1- E (Att)
Elizabeth Egloff	105 South Lane	\$9.00	PT2- B (Att)
John Elic	73 Middlebury	\$8.50	PT1-E (Att)
Samantha Esposito	20 Jasmine Ave	\$8.50	PT1- E (Att)
Aileen Farrell	86 Woodview Dr	\$8.50	PT1-E (Att)
Anna Filator	180 Fox Meadow Lane	\$8.50	PT1- E (LG)
Emily Fleetwood	50 Nina Terrace	\$8.50	PT1- E (Att)
Christopher Ford	5868 Woodlee Ct	\$10.50	PT3-C (LG)
Jillian Ford	5868 Woodlee Ct	\$8.50	PT1-E (Att)
Grant Fowler	86 Hillside Dr	\$8.50	PT1- E (LG)
Brigid Gallagher	3599 Abbott Rd	\$9.00	PT2-B (Att)
Jenelle Gefaller	30 Cranwood Lane	\$8.50	PT1-E (Att)
Nichole Geiger	50 Sitka Circle	\$9.00	PT2- B (LG)
Kathleen Goodman	132 Meadowbrook	\$15.00	PT6-D (Att)
Taylor Gorman	165 Hobby Lane	\$8.50	PT1-E (Att)
Leah Gordhamer	7288 Hayes Hollow Rd	\$9.00	PT2-B (Att)
Emily Graber	37 Hampton Ct	\$9.50	PT2- D (LG)
Kelly Graber	37 Hampton Ct	\$9.50	PT2- D (LG)
Sarah Gura	93 Stonehenge Dr	\$8.50	PT1- E (LG)
Sarah Haley	119 Henning Dr	\$9.00	PT2-B (Att)
Bridget Hall	65 Old Orchard Lane	\$8.50	PT1-E (Att)
Patrick Hogan	229 Meadowbrook Rd	\$8.50	PT1-E (Att)
Madison Hornung	91 Hunters Ridge Rd	\$9.00	PT2-B (Att)
Myan Idziur	6659 E. Quaker	\$8.50	PT1-E (LG)
Shannon Jablonski	121 Whitney Pl	\$11.00	PT3-E (LG)
Trevor Jachimowicz	68 Middlebury Rd	\$9.00	PT2- B (Att)
Melanie Janesz	22 Saint Clair St	\$10.50	PT3-C (Aide)
Emily Jankowiak	6094 Berkley Dr	\$8.50	PT1-E (Att)
Justin Jemiolo	14 Birch Run	\$9.00	PT2- B (LG)
Logan Jensen	7 South Davis St	\$9.00	PT2- B (Att)
Cassandra Kaczmarek	6 Lennys Lane	\$9.00	PT2-B (LG)
Korey Kazinski	8 Sandpiper Ct	\$8.50	PT1-E (Att)
Kyle Kazinski	8 Sandpiper Ct	\$9.00	PT2-B (Att)
Sean Keenan	2 Hillsboro Drive	\$8.50	PT1-E (Att)
Kristin Kegler	1454 Wehrle Dr	\$8.50	PT1-E (Att)
Florence Kirkner	16 Bender Dr	\$11.25	PT4- A (Att)
Margaret Klee	29 Cherry Tree Lane	\$9.50	PT2-D (LG)
Calvin Klemmer	25 Wildwood Lane	\$8.50	PT1-E (Att)
Rachel Klosko	244 Ashwood Lane	\$9.00	PT2-B (LG)
Annie Rose Kostrzewski	29 Silent Meadow Lane	\$9.00	PT2- B (LG)
Salvatore LaDuca	220 Anderson Place	\$15.00	PT6- D (Att)

Theodore Laport	80 Sunset Lane	\$8.50	PT1-E (Att)
Ryan Lehman	5162 Ellicott Rd	\$15.00	(PT6-D) (Att)
Megan Locker	8799 Feddick Rd	\$8.50	PT1-E (Att)
Laura Lukowski	27 Clark St	\$8.50	PT1-E (Att)
Allysa Maderer	5205 Chestnut Ridge Rd	\$9.00	PT2- B (Att)
Kelly Mahoney	12 Brimfield Ct	\$9.00	PT2- B (LG)
Brian Manley	2 Winterhall Rd	\$9.50	PT2-D (LG)
Bethany Mattina-Chmiel	24 Wellington Lane	\$9.00	PT2- B (LG)
Janet Marks	1203 Jewett Holmwood Rd	\$10.50	PT3- C (Att)
Collin McArdle	55 Jolls Lane	\$9.50	PT2- D (LG)
Anabelle McDonald	87 Hunters Ridge Rd	\$9.00	PT2- B (Att)
Megan Mckendry	45 Knob Hill Road	\$8.50	PT1- E (Att)
Travis McNichol	3662 California Rd	\$8.50	PT1- E (LG)
Gregory Michael	5330 Murphy Rd	\$11.00	PT3-E (LG)
Dana Neureuther	32 North Lane	\$8.50	PT1-E (Att)
Marleah Noonan	66 Meadow Rd	\$10.50	PT3- C (LG)
Madeline Nowakowski	64 Briar Hill Rd	\$8.50	PT1-E (Att)
Elizabeth Otwell	45 Falconcrest	\$9.00	PT2-B (Att)
Mary Owczarczak	30 Ranch Trail Ct	\$9.00	PT2-B (Att)
Andrea Pawarski	3582 Eric Trail	\$11.00	PT3-E (Att)
Amphavanh Philarom	1713 Schoellkopf	\$10.50	PT3-C (LG)
Ellen Piccillo	5292 Oakridge dr	\$9.00	PT2- B (LG)
Hanna Pollak	18 Edgewater Dr	\$9.00	PT2- B (LG)
Nicholas Ramage	35 Carlton Drive	\$9.00	PT2- B (Att)
Kelly Rand	23 Lakeridge Dr	\$8.50	PT1-E (Att)
Kiley Ransbury	6484 Cole Rd	\$8.50	PT1- E (Att)
Erin Rapp	62 Rosedale Ave	\$9.00	PT2-B (Att)
Emily Rattanaphasouk	6150 Lake Ave	\$8.50	PT1-E (Att)
Rachael Reimondo	4568 Ardmore Ct	\$9.00	PT2- B (Att)
Brooke Reynolds	61 May Rd	\$8.50	PT1-E (ATT)
Megan Robertson	62 Potter Ave	\$10.50	PT3-C (Att)
Joshua Saville	1 Saville Dr	\$8.50	PT1-E (Att)
Danielle Schaefer	60 Rolling Hills Rd	\$11.00	PT3- E (Att)
Molly Schaffstall	15 Ashwood Lane	\$9.00	PT2- B (LG)
Mary Schichtel	4536 Mt Vernon Blvd	\$15.00	PT6-D (Att)
Courtney Schmidt	5165 Briercliff Dr	\$8.50	PT1- E (Att)
Christopher Schiumo	28 Ascot Circle	\$9.00	PT2- B (LG)
Christi Schultz	6111 Bunting Rd	\$9.00	PT2- B (Att)
Heidi Schultz	6111 Bunting Rd	\$10.50	PT3-C (Att)
Samantha Shaffner	4462 S Buffalo ST	\$8.50	PT1-E (Att)
Kelsey Sheehan	19 Rene Dr	\$9.00	PT2- B (Att)
Madelyn Sheehan	19 Rene Dr	\$8.50	PT1- E (Att)
Linda Sherry	18 Sickman Ave	\$15.00	PT6- D (LG)
Madeline Shiley	39 Wildwood Lane	\$9.00	PT2-B (LG)
Elizabeth Simson	29 Tanglewood Dr West	\$9.00	PT2-B (LG)
Alyssa Smith	7160 Serpentine Dr	\$8.50	PT1-E (Att)
Shannon Smith	21 Kellybrook Ct	\$8.50	PT1-E (Att)
Nicole Sparks	5556 Draudt Rd	\$9.00	PT2-B (Att)
Robin Steiner	89 Cherokee Dr	\$8.50	PT1-E (Att)
Nicholas Szal	6755 Vail Dr	\$8.50	PT1- E (Att)
Morgan Szustak	4010 Bond St	\$8.50	PT1- E (Att)

Alexis Tarnowski	5940 Elmhurst Rd	\$9.00	PT2-B (LG)
Courtney Thornton	108 Harvey Drive	\$8.50	PT1-E (LG)
Analise Tremblay	11045 Ketchum Rd	\$10.50	PT3- E (Att)
Emily Tripi	5 Lockwood Lane	\$8.50	PT1- E (Att)
Sarah Twarog	31 Wildwood Lane	\$8.50	PT1-E (Att)
Emily Updike	5625 Cole Rd	\$8.50	PT1- E (Att)
Jonathan Van Remmen	60 Tracy Dr	\$9.00	PT2- B (LG)
Michelle Vasiloff	3578 Heatherwood Dr	\$9.00	PT2- B (LG)
Jeremy Wattie	20 Edgewater Circle	\$8.50	PT1- E (Att)
Kimberly Wilder	1225 West Prospect Rd	\$10.50	PT3-C (Att)
Emily Wienczek	4 Old Farm Rd	\$9.00	PT2- B (Att)
Daniel Wright	150 Kenefick Ave	\$9.00	PT2- B (LG)
Amanda Wylie	53 Stonehenge Dr	\$9.00	PT2-B (Att)
Brian Wylie	53 Stonehenge Dr	\$9.00	PT2- B (Att)
Kevin Zablonki	95 Burbank Dr	\$8.50	PT1-E (Att)

2013 Seasonal part time Appointment effective as of May 11 2013

Chelsea Andorka	78 Clifford Heights	\$10.50	PT3-C (Att)
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The resolution was unanimously adopted.

New Business #8 Approve Engineers to attend NYSDOT Bridge & Culvert Maintenance Expo

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

WHEREAS, the NYSDOT hosts a 2-day conference on bridge and culvert maintenance. This annual conference provides an opportunity for members and other professionals to focus on live demonstrations of the strategies and materials for the repair and preservation of highway structures, and

WHEREAS, the NYSDOT 2013 Bridge and Culvert Maintenance Expo will be held from Tuesday May 21st to Thursday May 23rd in Utica, New York at the Mohawk Valley Community College. After review of the conference program, it seems appropriate to attend only May 22nd and 23rd sessions. The course agenda includes concurrent breakout sessions on topics such as the Culvert Repairs, Stream Channel Maintenance, Inspecting Culverts, and Concrete Repairs, Portland Cement, Polymers for repairs, Understanding Inspection Reports, Shotcreting Inverts, Inspecting Culverts and Ancillary Highway Structures, and Safety and Environmental Practice, and

WHEREAS, this Annual NYSDOT Bridge and Culvert Maintenance Expo is a valuable industry recognized source of information. This conference will also provide the necessary continuing education credits to maintain Professional Engineering License. The cost is \$120/professional and \$59/attendee for both days, resulting in a total conference cost of \$179.00 for Thomas Ostrander and Wayne Bieler. These expo rates include the conference and lunches on both days. We will be responsible for our own travel time to and from the course, and

WHEREAS, there are sufficient funds budgeted in the 2013 Engineering Department A.1440.414 account for this training.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize Thomas A. Ostrander and Wayne L. Bieler to attend Annual NYSDOT 2013 Bridge and Culvert Maintenance Expo on May 22nd and May 23rd, 2013 in Utica, New York at the Mohawk Valley Community College, for a total amount not to exceed \$450.00, as recommended by the Town Engineer.

The resolution was unanimously adopted

New Business #9 Schedule Public Hearing for 2013 Local Law

11) 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 schedule a Public Hearing for Wednesday, May 15, 2013 at 7:00 pm for a Proposed Local Law for the year 2013; to amend §133-6 “Impoundment/Confiscation”, and to authorize the Town Clerk to publish due notice in the official newspaper of the Town.

The resolution was unanimously adopted.

New Business #10 Schedule Public Hearing for 2013 Local Law

12) 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 schedule a Public Hearing for Wednesday, May 15, 2013 at 7:00 pm for a Proposed Local Law for the year 2013; to amend Section 97-16 Parks & Playgrounds “Alcoholic Beverages”, and to authorize the Town Clerk to publish due notice in the official newspaper of the Town.

The resolution was unanimously adopted.

New Business #11 Schedule Public Hearing for Local Law

13) 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 schedule a Public Hearing for Wednesday, May 15, 2013 at 7:00 pm for a Proposed Local Law for the year 2013; “Open Container/Public Consumption” Local Law, and to authorize the Town Clerk to publish due notice in the official newspaper of the Town.

The resolution was unanimously adopted.

BUSINESS FROM THE FLOOR

Barbara Little – Ms. Little came before the Town Board at the 3/20/13 meeting expressing her concerns that the Town had reduced the Fire Inspector/Code Enforcement officer to a part-time position. Now she has found that there are over 14 new commercial projects and new residential developments taking place in Orchard Park and there is no way that two and a half Code Enforcement officers can keep up with the work requirements and fire inspections. The Town needs to reinstate the fire inspector as full-time. She also stated that she felt the Town Board does not really listen to the residents when they come before the Board with their concerns.

Kathy Gorkiewicz – Ms. Gorkiewicz stated that at budget time last year, she supported keeping the Fire Inspector-Code Enforcement as a full time position. She would like to see some investigation and reports on the mechanics of the building; plumbing, electrical, furnace; are the windows and roof in good repair, etc. regarding the Baker Road School that the Senior Council would like to purchase. The cost of this building is not going to be just the purchase price. It would be more with retrofitting plus the needed repairs. She does not want the Town to purchase a “white elephant”.

Nick Taneff – Mr. Taneff stated that he had four items regarding 3964 California Road (DeMarco’s Grove): 1) a report from the Building Inspector’s office, dated 3/15/12 showing 13 violations, one of which it is noted that a night club exists there. This was a private residence, then it was rezoned to Industrial to allow buses to be parked there. 2) From the Town Clerk’s office he obtained a copy of a Liquor License renewal which showed a multiple license, listing a restaurant, and a grove. 3) a letter from Mr. DeMarco sent to the Town Board attacking the Building Inspector for doing his job. 4) A building permit issued for a portion of this property to change it from storage (S-2) to Assembly (A-2). This “Change of Use” never went through the Planning Board. It does not look good for the Town Board to not check into this.

Dan Coughlin – Mr. Coughlin was concerned with the traffic situation at S. Buffalo St. and Jewett-Holmwood Rd. He hopes if the “No right on red” sign on north bound S. Buffalo St. is removed, that some other form of notification be put up to let people traveling northbound know that there is a green arrow on the southbound lane of S. Buffalo St.

Michael from Sen. Grisanti’s office – He stated that today they held the 1st successful satellite office visit in Orchard Park. Five people did come in and he was able to help them. The next office visit will be May 15, 2013, 10:00am to 2:00pm.

ELECTED OFFICIALS & DEPARTMENT HEADS

Supervisor Colarusso stated that they will be reviewing all aspects of the Baker Road School before they even consider purchasing it. Supervisor Colarusso stated that the Town Board is aware of the situation at 3964 California Road and the Town Attorney is helping with some of the issues Mr. Taneff brought up.

Chief of Police Pacholec stated that he did review the NYS DOT traffic study and his officers are conducting their own survey. However, at this point nothing is going to change. Chief Pacholec said he would talk to Mr. Coughlin after the meeting to get his information.

14) 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 approve Det. John Payne to attend NYS Fire Academy to go through the Fire Behavior and Arson Awareness course, May 6 to May 10, 2013. The cost to the Town would be \$108 for the registration fee. This is the first phase of the multi-tiered process to become certified as an arson investigator.

The resolution was unanimously adopted.

Highway Superintendent Piasecki stated that they have the sweeper trucks out and they are doing brush pickup. He announced the Free Mulch Day is going to be Saturday, May 11th from 8:00 am to 4:00 pm.

Town Engineer Bieler announced that the Orchard Park Village DPW, 100 West Highland Ave., is holding a free computer and electronics pickup on April 20th 10:00 am to 1:00 pm and is open to all Orchard Park residents.

15) 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 #7 following auditing by members of the Town Board and in the funds indicated:

General Fund	\$61,354.83
Public Safety Fund	\$1,895.52
Part Town Fund	\$356.50
Risk Retention	0.00
Cemetery Fund	0.00
Highway Fund	\$15,436.67
Special Districts	\$48,889.75
Trust & Agency	\$457.94
Capital Fund	0.00

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 7:34 pm (local time).

Respectfully Submitted,



Kathleen A. Swarbrick
Deputy Town Clerk