

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 May, 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
	Carol Hutton	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

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 COUNCILMEMBER MAJCHRZAK, TO WIT:

RESOLVED, that the Regular Town Board Meeting minutes held on April 17, 2013 and the Special and Executive Session Meetings held on March 20 & 27, and April 3, 10, & 17, 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 Town Board to Seek Lead Agency Status for Redevelopment 3900 N. Buffalo Rd.

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

WHEREAS, the Town Board has referred the request of the Ellicott Development Company to redevelop the Savilles property, 3900 North Buffalo Road, located on the west side of N. Buffalo Rd. and South of Webster Rd, 50 ± acres, Zoned B-1 & R-2 to the Planning Board on 1/2/13, and

WHEREAS, the Planning Board, upon review, has recommended that the Town Board seek Lead Agency Status under SEQRA,

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby seek Lead Agency Status with a Coordinated Review for Planning Board File #37-12, Ellicott Development Company, proposed redevelopment of the Savilles property, as recommended by the Planning Board. This is a Type 1 SEQR Action.

The resolution was unanimously adopted.

Old Business #2 Town Board to Issue a Negative Declaration for Krog Medical Park on Rt. 20A

3) 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 issue a Negative Declaration for Krog Corp LLC Medical Park, on Route 20A. This is a Type 1 SEQR Action for a 167,249 ± sq.ft. Medical Park per Site Plans submitted on April 11, 2013, as recommended by the Planning Board.

The resolution was unanimously adopted.

New Business #1 Authorize Attendance at a One Day Workshop

4) 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 Orchard Park Disaster Coordinator, Richard J. Mrugalski, and Assistant Disaster Coordinators, Andy Geist and Ernest Mathews to attend a one day workshop on Public Information Officer/Joint Information System to be held on May 2, 2013 at the Erie County Emergency Services Training and Operations Center in Cheektowaga. There is no cost for this training.

The resolution was unanimously adopted.

New Business #2 Appointment to Architectural Overlay District

5) 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 appoint Mitch Nowakowski, 80 South Meadow Dr., Orchard Park, to the Architectural Overlay District, term to expire December 31, 2013. Mr. Nowakowski is a graduate of Buffalo State College with an Associates Degree in General Studies and presently is continuing his education at Buffalo State College to obtain a Bachelor of Science Degree in Urban Planning. He is presently a Director for The Boys and Girls Club.

The resolution was unanimously adopted.

New Business #3 Appointment to OP Recreation Commission

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

RESOLVED, that the Town Board does hereby appoint Lauren Kaczor, 23 Silent Meadow Dr., Orchard Park to the OP Recreation Commission to fill a vacancy, term to expire December 31, 2019. Ms. Kaczor has been recommended for this appointment by the Recreation Commission and Youth Court Director, David Rebmann, due to her many years of volunteer participation on both these committees.

Supervisor Colarusso	Aye
Councilmember Kaczor	Recused
Councilmember Majchrzak	Aye

The resolution was duly adopted.

Councilmember Majchrzak stated that Ms. Kaczor is a 2008 Orchard Park High School graduate and attends the Rochester Institute of Technology and will graduate in May with a Bachelor of Science degree in Mechanical Engineering. She has served on the Orchard Park Youth Board for eight years and has been a member of the Youth Court Board for the last two years. Ms. Kaczor will act as the liaison between the Youth Board and the Recreation Commission.

New Business #4 Town Board to Support Assembly Bills A.88 & A.824

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

WHEREAS, vacant, abandoned and foreclosed homes and structures have proliferated throughout New York State over the last five years, and

WHEREAS, vacant structures that are not maintained for months at a time degrade and depreciate the value of the vacant structure as well as the value of surrounding properties, and

WHEREAS, lending institutions that hold mortgages on said vacant structures do not always provide the contact information of a responsible party, and

WHEREAS, Assembly Bill A.88 and Assembly Bill A.824, currently pending, would make it mandatory for lending institutions to provide contact information of responsible parties regarding vacant structures, and require good faith in obtaining a foreclosure, and

WHEREAS, the Town of Orchard Park Town Board supports the passage of said Bills.

NOW THEREFORE, be it

RESOLVED, that the Town of Orchard Park hereby supports the passage of said Bills and respectfully requests that the State Representatives who represents constituents in the Town of Orchard Park support the passage of said Bills.

The resolution was unanimously adopted.

New Business #5 Approve Special Events in the Town

8) 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 approve the following Town's Special Events, as recommended by the Recreation Director:

- May 4th Orchard Park Little League Opening Day Parade & Ceremonies - no charge
- May 31st National Center for Missing & Exploited Children Bike Ride - no charge
- June 13th Our Lady of the Sacred Heart Church 5K Run and Walk, \$160 - for public safety
- July 21st Lindsay Matthews Memorial 5K Run, \$320 - for public safety
- Sept. 15th WNY Pontiac Oakland Club Car Show at Milestrip Sport Complex - no charge

The resolution was unanimously adopted.

New Business #6 Authorize Sale & Closing of Town Property

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

WHEREAS, On December 14, 2012 the Town of Orchard Park entered into a Contract of Sale, a property locally known as 4248 South Taylor Road, and

WHEREAS, Proper notice of Permissive Referendum was authorized, published, and no petition was timely filed with the Town, and

WHEREAS, Sale of said premises contemplated by said Contract is now ready to be closed.

NOW, THEREFORE, be it

RESOLVED, that

1. The Town of Orchard Park hereby authorizes the sale and closing of 4248 South Taylor Road as contemplated by said contract dated December 14, 2012 and,
2. The Supervisor is hereby authorized to execute and deliver the Deed and all title papers necessary to complete said sale and closing on behalf of the Town of Orchard Park.

The resolution was unanimously adopted.

New Business #7 Authorize Final Payment & Release of Retention

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

WHEREAS, the work on the Orchard Park Municipal Center Energy Management System Upgrade has been completed and the system is up and running. On April 3, 2013, a system walkthrough was conducted and a training session was held for the Engineering & Maintenance Department personnel. All of the proposed work has been satisfactorily completed in accordance with the contract proposal.

WHEREAS, the Affidavit of Release of Liens and Affidavit of Subcontractor Payment have been submitted along with digital copies of the building energy management computer program - system restore.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the close out and final payment for the Municipal Center Energy Management System Upgrade to Siemens Industry, Inc., Building Automation, 85 Northpointe Parkway, Amherst NY 14228 in the amount of \$17,597.00, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #8 Appoint Summer Staff to Sewer, Water & Lighting Department

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

WHEREAS, funds have been allocated in the 2013 budget for two seasonal employees in the Sewer, Lighting & Water Department, and

WHEREAS, Michael Cavanagh who worked for the Sewer Water & Lighting Department as a seasonal employee last summer has applied again this year. Michael is currently attending Hilbert College and is scheduled to graduate with a BS in Forensic Science this spring and return to school this fall part time, and

WHEREAS, Kenneth Dudkowski has applied for the seasonal position in the Sewer Water & Lighting Department. Kenneth is currently attending Orchard Park High School and plans to attend Erie Community College North for Energy Utility Technology this fall then enlisting with the U.S. Navy in January 2014.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby appoint Mr. Michael Cavanagh, 1589 East Quaker Street, Orchard Park, New York 14127, to a seasonal position in the Sewer, Lighting & Water Department for approximately a twenty five-week period beginning May 8, 2013 at a wage rate of \$9.00/hour, and be it further

RESOLVED, that the Town Board does hereby appoint Mr. Kenneth Dudkowski, 3609 Connie Trial, Blasdell, New York 14219, to a seasonal position in the Sewer, Lighting & Water Department for approximately a twenty five-week period beginning May 8, 2013 at a wage rate of \$8.50/hour, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #9 Appoint Summer Staff to the Engineering Department

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

WHEREAS, funds have been allocated in the 2013 budget for seasonal employees in the Engineering Department, and

WHEREAS, Adam Hanley who worked for the Engineering Department last year and applied again for the summer position. Adam is currently attending Clarkson University and plans to graduate this May of 2013, and

WHEREAS, Alexander Shafer has applied for the seasonal position in the Engineering Department. Alexander is currently attending Lehigh University and plans to graduate in May of 2014.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby appoint Mr. Adam Hanley, 7 Goodrich Rd. Lackawanna, New York 14218, to a seasonal position in the Engineering Department for a twenty five-week period beginning May 8, 2013 at a wage rate of \$10.00/hour, and be it further

RESOLVED, that the Town Board does hereby appoint Mr. Alexander Shafer, 37 North Lincoln Avenue, Orchard Park, New York 14127 to a seasonal position in the Engineering Department for a twenty-five week period beginning May 8, 2013 at a wage rate of \$8.50/hour, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #10 Authorize Purchase of a 2013 Ford F150 Super Cab Truck

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

WHEREAS, the Engineering Department is in need of another inspection pickup truck for the numerous Town and PIP projects scheduled for this year. The new truck will be assigned to the Town Engineer and used by the Engineering Department for inspections and the 2007 Chevy pickup will be rotated into an inspector's truck.

WHEREAS, the new truck will be funded from the T00.87 construction inspection account. The Engineering Department has checked state contracts and would propose to purchase a new truck for the Engineering Department from these contracts, which will eventually be used as a survey truck.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the purchase a 2013 F-150 (extended cab) Ford pickup truck under state bid contract from Van Bortel Ford, Inc., 7325 Route 96, Victor, NY 14564 for the amount not to exceed \$25,973.58 for the Engineering Department, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #11 Authorize Supervisor to Sign an Agreement with SJB Services, Inc.

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

WHEREAS, in order to complete the Baker Road Reconstruction bid documents and design work, existing soil conditions along the project needs to be known. With the final design work underway, additional test bore locations were marked in the field and depths determined depending on utility depths' standards per SJB Inc. The Town of Orchard Park will directly contract the test boring services for Baker Road Reconstruction and add the findings to the Town's soil boring records book, and

WHEREAS, in order to keep the project on schedule, pavement cores and soil-boring work must be completed. The Engineering Department has solicited services from a local consultant SJB Services Inc., who is qualified and capable to complete this work in the necessary time frame, and

WHEREAS, the test boring work will include five pavement core locations (6" asphalt core, sample sub-base to determine thickness, spit spoon samples to 3 feet), two soil borings to a depth of 15-feet for the sanitary sewer work, three borings to a depth of 10-feet for the water main work, and all associated boring reports. All boring locations are to be tied into survey with elevations. SJB Services Inc. estimated cost to complete the above mentioned work is \$2,800.00. The estimated time necessary to complete the work is two days.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the Supervisor to sign an agreement with SJB Services Inc., 5167 South Park Avenue, Hamburg, New York 14075, to provide pavement cores & soil borings for the Baker Road Reconstruction Project in an amount not to exceed \$2,800.00, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #12 Public Safety Committee Recommendation

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

WHEREAS, at the April 16, 2013 meeting of the Public Safety Committee, the intersection of Armor Duells Road, Powers Road and Old Orchard Lane was discussed and the Committee members agreed that this intersection is potentially dangerous and a proposed realignment would make it a much safer traffic outlet, and

WHEREAS, it was suggested that another option could be to run Old Orchard Lane into Powers Road, but there would be the issue of property rights of way, easements and driveways. Armor Road and Powers Road are Erie County Roads and are within their jurisdiction.

NOW, THEREFORE, be it

RESOLVED, that the Town Board send a letter to Erie County asking them to review the situation along with the previously proposed realignment of the intersection, as recommended by the Public Safety Committee.

The resolution was unanimously adopted.

Highway Superintendent Piasecki stated that he has heard from Erie County and they are planning a redesign of that intersection.

New Business #13 Approve Part Time Appointments for the Parks & Grounds

16) 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 approve the appointments of part-time Seasonal laborers for the Parks & Grounds: Ryan Van Lew, rate PT-1E \$8.50/hr (Returning from last year 2012, \$8.50/hr), Jesse Litwinak, rate PT-1C \$8.00/hr, Sean Plunkett, rate PT-1C \$8.00/hr retroactive to April 29, 2013, as requested by Highway Superintendent, Fred Piasecki.

The resolution was unanimously adopted.

New Business #14 Approve Appointment of Police Lieutenant (Provisional)

17) 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 approve the appointment of Joseph Ray to the position of Police Lieutenant (Provisional) in the Orchard Park Police Department, Step G 1st year, effective May 4, 2013 at \$79,891.50.

The resolution was unanimously adopted.

New Business #15 Approve Appointment of Police Lieutenant (Temporary)

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

RESOLVED, Town Board to approve the appointment of Jason Schiedel to the position of Police Lieutenant (Temporary) in the Orchard Park Police Department, Step G 1st year, effective May 4, 2013 at \$79,891.50.

The resolution was unanimously adopted.

New Business #16 Approve Appointment of Police Lieutenant (Temporary)

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

RESOLVED, Town Board to approve the appointment of Patrick Fitzgerald to the position of Police Lieutenant (Temporary) in the Orchard Park Police Department, Step G 1st year, effective May 4, 2013 at \$79,891.50.

The resolution was unanimously adopted.

Police Chief Pacholec delivered the Oath of Office for the newly appointed Lieutenants. The Town Board congratulated the Lieutenants and their families.

New Business #17 Older Americans Month Proclamation for May 2013

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

WHEREAS, the Town of Orchard Park includes citizens ages 60 and older, and

WHEREAS, the Town of Orchard Park is committed to valuing all individuals and recognizing their ongoing life achievements, and

WHEREAS, the older adults in the Town of Orchard Park play an important role by continuing to contribute experience, knowledge, wisdom, and accomplishments, and

WHEREAS, our older adults are active community members involved in volunteering, mentorship, arts and culture, and civic engagement, and

WHEREAS, recognizing the successes of community elders encourages their ongoing participation and further accomplishments, and

WHEREAS, our community can provide opportunities to allow older citizens to continue to flourish by:

- Emphasizing the importance of elders and their leadership by publicly recognizing their continued achievements.
- Presenting opportunities for older Americans to share their wisdom, experience, and skills.
- Recognizing older adults as a valuable asset in strengthening American communities.

NOW, THEREFORE, be it

RESOLVED, that the Town Board of Orchard Park does hereby proclaim May 2013 to be *Older Americans Month*. We urge every citizen to take time this month to recognize older adults and the people who serve and support them as powerful and vital citizens who greatly contribute to the community.

The resolution was unanimously adopted.

New Business #18 Town Board to Support Erie County Assessor's Association

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

WHEREAS, to support the Erie County Assessor's Association regarding the proposed amendment to RPTL section 102(i).

WHEREAS, Fiber optic cable located on private property has been part of the Outside Plant roll section 6 assessment under Section 102(i) of Real Property Tax since the 1980's. Which is consistent with the valuation of fiber optic cable located within the public right of way defined as Special Franchise property and,

WHEREAS, Amendments to Section 102 (i) of Real Property Tax in 1985 and 1987 were never intended to exclude fiber optic cable or other emerging technology from Outside Plant roll section 6 and,

WHEREAS, Until a recent decision by the Appellate Division, First Department removing fiber optic cable from Outside Plant roll section 6, fiber optic cable had been part of the Outside Plant assessment for over 25 years, and

WHEREAS, Across New York State hundreds of millions of dollars in tax base are in jeopardy of being lost creating a significant impact on Town, County and School tax,

NOW THEREFORE, be it

RESOLVED, that the Town of Orchard Park does hereby support the Erie County Assessor's Association and respectfully request the New York State Legislature to amend Section 102 (i) of Real Property Tax Law to defining, include and memorialize fiber optic cable as part of Outside Plant for tax assessment purposes consistent with the intent of a 1986 amendment to Section 102. And which is consistent with the valuation of fiber optic cable as Special Franchise property.

The resolution was unanimously adopted.

Refer to Planning Board and Conservation Board

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

RESOLVED, West Herr Properties are requesting to demolish a home at 5948 Webster Road, located on the north side of Webster Road, east of Breem Street, Zoned B-2. Applicant would like to expand their parking lot.

The resolution was unanimously adopted.

BUSINESS FROM THE FLOOR

Barbara Little – Ms. Little stated that she again presented at the last Town Board meeting her concern for a full time Fire Inspector or the new position of Code Enforcement Officer, whose major responsibility would be fire inspection and safety. With the amount of residential and commercial and residential building proposed and currently taking place, it is impossible for two and half positions in the Building Inspector’s office to meet all their work activities plus all the responsibilities for the fire inspection and safety of the Town. At the March 20th Town Board meeting, Councilmember Majchrzak stated that he did not believe that there was any town in Erie County that had three full time Fire Inspectors. Ms. Little checked with other surrounding towns. In Clarence, which is similar to Orchard Park, had five full time Code Enforcement Officers, one of whom was listed as Fire Inspector. Some communities had even more. Ms. Little asked the Town Board again to consider a full time Fire Inspector as the Town is at risk as more building continues.

Patrick Keem – Mr. Keem commented on the Police Forum that took place last evening, and he thought it was a very informative presentation and well attended. He was glad to hear it may be held twice a year. It gave the community an idea of what happens within the Police Department and the officers that serve. He commended Chief Pacholec on the Forum.

James Lewis – Mr. Lewis had questions regarding property water and sewer lines. Councilmember Kaczor referred Mr. Lewis to the Town Engineer who would direct him with what he would need to do.

ELECTED OFFICIALS & DEPARTMENT HEADS

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

RESOLVED, in 2012, Governor Cuomo passed the Sewage Pollution Right to Know Law. Pursuant to the law, within four (4) hours of a sanitary sewer overflow the service provider is required to notify the authorized designee of the municipality the discharge occurred in. As Erie County Sewer District No. 3 includes areas of the Town of Orchard Park within its boundaries, The Erie County Division of Sewerage Management would like to have the contact information you would prefer for these notifications – be it the Town Engineer, the head of the Town Highway Department or someone else in Town government.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby appoint Wayne Bieler as the Director of Sewage Pollution for District 3.

Supervisor Colarusso	Aye
Councilmember Kaczor	Recused
Councilmember Majchrzak	Aye

The resolution was duly adopted.

Highway Superintendent Fred Piasecki stated that on April 24, 2013 the Town received the last payment of \$54,671.44 for snowplowing for Erie County. He reported on the “Free Mulch Day” on Saturday, May 11th from 8:00 am until 4:00 pm and the standard hours of operation for the season.

24) 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 #9 following auditing by members of the Town Board and in the funds indicated:

General Fund	43,55.76
Public Safety Fund	15,350.72
Part Town Fund	935.87
Risk Retention	\$0.00
Cemetery Fund	\$0.00
Highway Fund	39,583.96
Special Districts	125,402.41
Trust & Agency	6,343.04
Capital Fund	20,199.98

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 8:07 pm (local time).

Respectfully Submitted,



**Carol R. Hutton
Town Clerk**