

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 5th day of June, 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
	Andrew Geist	Building Inspector
	Mark Pacholec	Chief of Police
Absent 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."

SPECIAL PRESENTATIONS

Presentation of Senior Youth Court Awards

Mr. Rebmann stated that in memory of Thomas McGinty, one of the founders of the Orchard Park Youth Court, a Scholarship Award is presented to a deserving student. He stated how much Mr. McGinty was missed and was pleased to introduced Mrs. McGinty and her family. The Thomas McGinty Scholarship Award is given to a member of the Youth Court who is outstanding in their service, dedication and representing what the Youth Court stands for. The members of the Youth Court voted to select the Outstanding Youth Board Member. The following individual was selected to receive the Thomas McGinty Memorial Youth Court Scholarship Award – Emily Wienczek.

Mr. Rebmann started a new Scholarship Award this year, E. D. Rebmann Scholarship Award and it is awarded to Sydney Metzger.

The Town's Youth Court is the official alternative to Erie County's Family Court, and is an integral part of the criminal justice system. It handles cases of youthful offenders petitioned by the Orchard Park Police Department. The youthful offenders are judged and sentenced by their peers to perform community service hours. The Youth Court Director, David Rebmann introduced Youth Board members, Benjamin Schafer and Lauren Kaczor, who presented the awards and read the biographies for the following Youth Court members who are graduating this year:

Alexus Baksa, Nicholas Bammel, Tayor Buccilli, Laura Gutsin, Jordan Hansgen, Brian Krastev, Lindsey Kreuzer, Cari Koerner, Emily McDonnell, Marissa Maggioli, Gabrielle Marquis, Sydney Metzger, Emily Mielcarek, Amanda Moeller and Emily Wienczek.

Mr. Rebmann thanked Councilmember Kaczor for all the he has done for the Youth Court throughout the years he has served on the Town Board.

Presentation of the Recreation Department Award

Recreation Director, Ed Leak, stated that the National Parks Assoc. designates June as Recreation Month. This gives the Recreation Department the opportunity to recognize individuals and businesses that have been supportive over the last year. Mr. Leak asked Recreation Commission Chairperson, Audrey Ramage, to help present the Community Appreciation award. Mr. Leak said they are presenting this year's award to one person this year, which is Councilmember David Kaczor. Councilmember Kaczor's tenure of 12 years is coming to an end this year and as the liaison to the Recreation Department and Recreation Commission, they wanted to honor his time, commitment and dedication to the Recreation Program. Mr. Leak stated that without the attention of the Town Board, specifically Councilmember Kaczor, the Recreation Program would not have realized the success they have today.

Councilmember Kaczor said that you are only as good as the people around you, without a proper team things don't happen, and that he has been fortunate. Councilmember Kaczor thanked everyone for the honor.

County Legislature John Mills then read a Proclamation from the County Legislature honoring Councilmember David Kaczor.

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 May 15, 2013 and the Special and Executive Session Meeting held on May 15 & 22, 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.

New Business #1 Town Board to Approve Special Event

2) 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 the following Town's Special Events which have met all the requirements as determined by the special event request process:

July 3rd, 16th Annual Tommy's Run which will start and finish in Yate's Park from 5 PM-9 PM. Public Safety fee of \$120.00 has been paid.

The resolution was unanimously adopted.

New Business #2 Authorize Supervisor to Sign 2013 Fireworks Display Contract

3) 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 Supervisor to sign the 2013 Fireworks Display Contract between the Town of Orchard Park and "Skylighters" of New York, LLC, 315 Angle Road, West Seneca, NY. Cost not to exceed \$5,000. A Certificate of Liability has been submitted.

The resolution was unanimously adopted.

New Business #3 Seasonal Staff Appointments to Recreational Department

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

RE: Item 1. Summer Seasonal Part Time Appointment

<u>Name</u>	<u>Address</u>	<u>Rate</u>	<u>Position(Title*)</u>
Kennan Druding	4 Lynchburg Ct	\$8.50	PT1-E (Att)
John Alec Duffy	45 Pinyon Drive	\$8.50	PT1-E (LG)
Alexander Freedenberg	10 Sylvan Circle	\$8.50	PT1-E (LG)
Grant Karlson	4028 Midway Court	\$8.50	PT1-E (Att)
Hanna Kreuzer	16 Hemlock Hill	\$8.50	PT1-E (LG)
Emma Laipple	230 Fox Meadow Lane	\$8.50	PT1-E (LG)
William McCauley	5860 Woodlee Ct	\$8.50	PT1-E (LG)
Jillian Michael	5330 Murphy Rd	\$8.50	PT1-E (LG)
Abigail Piccillo	5292 Oakridge Dr	\$8.50	PT1-E (LG)
Evan Pokrandt	1600 Orchard Park Rd	\$8.50	PT1-E (Att)
Rhiannon Slowik	6108 Armor Rd	\$8.50	PT1-E (Att)

RE: Item 2. Summer Seasonal Part Time Appointment Effective as of May 25 2013 Title change

<u>Name</u>	<u>Address</u>	<u>Rate</u>	<u>Position(Title*)</u>	<u>New Position(Title*)</u>
Jonathan Duffy	4881 Sunway Lane	\$8.50	PT1-E (Att)	\$8.50 PT1-E (LG)

Note: The above appointment is dependent upon the applicant providing the required certifications.

The resolution was unanimously adopted.

New Business # 4 Seasonal Staff Appointments to Highway Department

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 Appoint summer seasonal staff to the Highway Department for Parks & Grounds:

- o Doug Henning, Rate PT-1C \$8.00 (last yr. rate \$7.50) Started 5/20/13
- o Michael Fregelette, Rate PT-1 \$7.50 (last yr. rate \$7.50) Started 5/13/13
- o Tim Welch, Rate PT-2B \$9.00 (last yr. rate \$8.50) Started 5/13/13
- o William Bieler, Rate PT-2B \$9.00 (worked free mulch day only)

The resolution was unanimously adopted.

New Business # 5 Reappoint Town Assessor For Six Year Term

6) 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 Reappointment of Milton Bradshaw as the Town of Orchard Park's Assessor for another 6 year term, 10/1/13 – 9/30/19.

The resolution was unanimously adopted.

New Business # 6 Approve Attendance at 2013 KVS Summer Training School & Conference

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 approve Connie Fitzpatrick to attend the 2013 KVS Summer Training School & Conference from Monday, July 22 thru Wednesday, July 24, 2013 at the Buffalo-Niagara Marriott Hotel in Amherst, NY at the Town's expense. The cost to the Town would be \$475.00 per person.

The resolution was unanimously adopted.

New Business #7 Authorization to Clean-Up Lots

8) 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 to have the lots on 9 & 15 Highpoint Court cleaned up and mowed once a month for the remainder of the 2013 mowing season. Cost associated to the work will be put on the tax roll of the properties, as requested by Building Inspector Andrew Geist.

The resolution was unanimously adopted.

New Business # 8 Award Bid For Baker Road Reconstruction Project

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

WHEREAS, Bids were opened for the Baker Road Reconstruction between Milestrip Road and Michael Road Project on May 14, 2013 at 1:00 PM., and

WHEREAS, the project was bid with a base bid and two alternate bids, which allowed the Town the opportunity to verify costs associated with drainage pipe options. Alternate No. 1 consisted of replacing Aluminized Corrugated Steel Drainage Pipe (perforated and solid) and end sections smaller than 30-inches in diameter with High Density Corrugated Polyethylene (HDPE) pipe products. Alternate No. 2 consisted of replacing all Aluminized Corrugated Steel Drainage Pipe items larger than 30-inches in diameter as well as end sections for associated larger underdrains storm products, and

WHEREAS, The Town of Orchard Park Engineering Department has reviewed the itemized prices of the five contractors who submitted bids. The low Base Bid of \$2,795,000.00, Alternate No. 1 of \$2,737,915.00, and Alternate No. 2 of \$2,929,254.51 were below the engineer's estimates for the project, and

WHEREAS, mathematical errors were discovered in Zoladz Construction's Base Bid and Alternates, which altered their total bid amounts and this affected Zoladz Construction's ranking as shown in the Bidder Comparison Sheet. The Bidder Comparison sheet is an extended tabulation of bid results showing the itemized bid amounts of each contractor. Per the Town Specifications, bid mathematical errors were corrected, which resulted in Zoladz's bid no longer being the lowest bid, and per the Town Attorney's Memo dated May 24, 2013, the minor irregularity on the Ingalls Site Development's bid can be waived, and

WHEREAS, the lowest responsible bidder for both the Base Bid and Alternate No. 1 was Ingalls Site Development, Inc. The company has been in business since 1988 and has successfully completed many highway and subdivision projects in and for various local municipalities. The company has been found to have the qualifications and experience to perform this work adequately. The Town Engineer recommends that Alternate No. 1 be awarded with a savings to the Town of \$57,085.00, and

WHEREAS, Town Board bond resolution authorized \$4,780,000.00 for roads, per Wayne Drescher with future ban notes or bonds. H-58 "Road Reconstruction" account fund is \$1,372,114.00 currently. The Town can award tonight using bond funds. However, additional funding will be needed to complete all projects originally identified. A Capital H account needs to be setup for Baker Road Reconstruction specifically. There are also additional funds allocated under Capital Project H-48 "Town Wide Water Improvements" if needed.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby award the Contract for the Baker Road Reconstruction Alternate No. 1 between Milestrip Road and Michael Road Project to the lowest responsible bidder, Ingalls Site Development, Inc., 297 Meyer Road, West Seneca, New York 14224 in the amount of \$2,737,915.00, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #9 Appoint Summer Staff to the Engineering Department

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

WHEREAS, funds have been allocated in the 2013 budget for seasonal help in the Engineering Department. Alexander Shafer who was appointed several meetings ago received an internship with MOOG Inc. and Frank Sillence is now working for the Highway Department, and

WHEREAS, with the current work load of the Engineering Department, and the need for an employee to work with Surveying, the Town Engineer does recommend William Bieler, who has applied for a summer position. William is currently attending University of Buffalo, for Chemical Engineering and plans to graduate in May of 2014 then go on for his Masters.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby approve William W. Bieler, 7242 Gartman Road, Orchard Park, New York 14127 to a seasonal position in the Engineering Department for a twenty-five week period beginning June 3, 2013 at a wage rate of \$9.00 per hour, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #10 Declare Property as Dangerous & Unsafe

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

WHEREAS, the Enforcement Officer of the Town of Orchard Park has filed his report in writing with the Town of Orchard Park containing his findings and recommendations regarding certain structures on the premises located at 5856 Lake Avenue, designated by SBL #152.14-2-10, in which report said Enforcement Officer states his opinion that said structures are unsafe and dangerous to the public and recommends their immediate securing or removal, and

WHEREAS, the Town of Orchard Park after reviewing said report and after hearing said Enforcement Officer in regard thereto and after having duly deliberated upon the same, having determined the said report warrants the removal of said structure.

NOW, THEREFORE, be it

RESOLVED, that (1) notice be given to Adam J. DiPirro and Peter D. DiPirro, (2) said notice be served personally upon Adam J. DiPirro and Peter D. DiPirro or the County clerk if such persons cannot reasonably be found for such personal service and by affixing a copy thereof upon said structures, (3) said notice shall order that the barn structure on the said premises is to be demolished and the debris from that demolition is to be removed from the premises within thirty (30) days of the service of said notice and to be completed within sixty (60) days thereafter, (4) a public hearing has been scheduled at 7:00 pm on August 7, 2013 at the Municipal Building, 4295 South Buffalo Street, Orchard Park, in relation to such dangerous or unsafe structures, and (5) the Building Inspector of the Town of Orchard Park be and he hereby is directed to prepare said notice and arrange for the service thereof in accordance with the requirements of said Local Law and by filing in the office of the County Clerk, as recommended by the Town Attorney.

The resolution was unanimously adopted.

New Business #11 Authorize Attendance to 2013 Highway School

12) 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 Highway Superintendent Fred Piasecki to attend the Association of Towns 2013 Highway School at Ithaca College, Ithaca, New York, June 3-5, 2013. Cost not to exceed \$537.00 and is in the current budget.

The resolution was unanimously adopted.

New Business #12 Authorize Purchase of Two 2013 Ford Pickup Trucks

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 purchase of two (2) 2013 Ford pickup trucks for the Highway Department. The cost of these new trucks totals \$41,241.12. Both trucks are being purchased under New York State Bid for the individual costs of an F-150 for \$17,305.03 and F-150 4x4 for \$23,936.09. The money is in the current budget, as requested by Highway Superintendent Fred Piasecki.

The resolution was unanimously adopted.

New Business #13 Approve request for the Village to use Town Property for “Summer in the Park”

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

WHEREAS, the Village of Orchard Park is once again sponsoring “Summer in the Park” with the Ice Cream Social to be held on Friday, July 26th and the Street Dance to be held on Saturday, July 27th, and

WHEREAS, in the past the Town has allowed the use of the Library grounds for these events, and the Village of Orchard Park is asking the Town’s permission to use the Library grounds for these events

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby approve the request of the Village to use the Library grounds for the Village summer events, July 26th and 27th, and the Certificate of Insurance has been obtained.

The resolution was unanimously adopted.

New Business #14 Senior Police Clerk Appointment

15) 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 create the Position of Erie County Civil Service title, Senior Police Clerk, FT, for the Police Department, and be it further

RESOLVED, that the Town Board does hereby appoint Beverly A. Kirkpatrick, 12 W. Royal Hill Dr, Orchard Park, NY, 14127, to the full-time position of Senior Police Clerk, Nonunion, Pay Scale, Range 3, Step 1st Year, as of June 10, 2013, provisionally, upon passing the required Erie County Civil Service Exam and placing in one of the top three grades, as required by the Commissioner of Personnel.

The resolution was unanimously adopted.

New Business #15 Authorize Additional Hours in Assessor’s Office

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

WHEREAS, on Wednesday, May 29, 2013, Mary Quinn resigned from the Assessor’s Office staff, and

WHEREAS, the Assessor’s Office is entering a high volume season, and

WHEREAS, Steven Pigeon has been working part-time in the Assessor’s Office since July 2012 and already knows the business and protocol of the office.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby grant permission for a temporary increase in hours to accommodate the staff shortage between June 3, 2013 and August 30, 2013 as needed.

The resolution was unanimously adopted.

New Business #16 Authorize Supervisor to Sign Agreement with Wendel

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

WHEREAS, as a representative of the Orchard Park Senior Council, Jane Reukauf was designated to request proposals for a feasibility study for the Baker Road School conversion to a senior center. As directed by the Supervisor, Town Engineer Bieler attended the meetings, and with the consultants, attempted to assemble a scope of work that would allow the Town of Orchard Park, with a step process, the ability to investigate the building structure needs and whether it is economical to use for a future Senior Center, as well as provide a similar cost estimate for the new building for the Senior Citizen Center, and

WHEREAS, Fontanese Folts Aubrecht Ernst Architects and Wendel both submitted proposals. Wendel's proposal had a three step process to starting the building structure analysis. The scope is attached for your review, and

WHEREAS, the Supervisor has requested a funding source from the accountant Wayne Drescher. Town Engineer Bieler recommends if the Town of Orchard Park is to consider this building that the structure integrity be assessed and the associated costs estimated. Then retrofitting the building into a senior center investigated with costs estimated.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby recommend that you authorize the Supervisor to sign an agreement with Wendel, 140 John James Audubon Pkwy, Suite 201 Buffalo, N.Y. 14228, to provide building assessment services for the Baker Road School Senior Center conversion Phase 1 in an amount not to exceed \$2400.00, and be it further

RESOLVED, that this is dependent upon the Orchard Park School District giving their permission for the Town to go on the property.

Supervisor Colarusso stated that this will start the process to evaluate the feasibility of converting the Baker Rd. School to a Senior Center, or if it would be more cost effective to build a new Senior Center.

The resolution was unanimously adopted.

New Business #17 & 18 Retirement and New Appointment to Library Board

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

WHEREAS, the Town Board does hereby accept with regret the retirement/resignation of Patrick Andrews from the Library Board.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby appoint Doug McFarland, 120 Park Place, to the Library Board to fill the unexpired term of Patrick Andrews, term ending 12/31/15.

The resolution was unanimously adopted.

BUSINESS FROM THE FLOOR

Jackie Briggs – Ms. Briggs thanked the Town Board for approving the feasibility study to evaluate the possibility of converting the Baker Road school to a Senior Center. She announced that on June 8th, the Senior Council would hold a fund raiser at the Orchard Park Train Depot. Schwan’s Frozen Food trucks will be there from 10:00 am to 3:00 pm selling their frozen foods from the trucks, and the Senior Council will receive 20% of the sales.

Mary Pat Ruh – Ms. Ruh would like the Town to look at the intersection of Scherff and Gartman Roads to turn that from a 2-way stop into a 4-way stop.

ELECTED OFFICIALS & DEPARTMENT HEADS

Supervisor Colarusso said she is excited that they are starting the process to evaluate the Baker Road School as a possible site for a new Senior Center.

Councilmember Kaczor thanked his family, friends and the residents for the honor he received this evening.

Councilmember Majchrzak said that the Town does need to get permission from the School District to enter the Baker Road property.

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

WHEREAS, on April 17, 2013, the Town board adopted a resolution amending the June 6, 2012 resolution for the Krog Corporation 20A, LLC Medical Park located on the south side of Big Tree Road, east of Route 219 (adjacent to the First Baptist Church) zoned D-R awarding a Partial Building Permit and setting forth the conditions for awarding the Final Building Permit, and

WHEREAS, the Town Board wishes to authorize the issuance for another Partial Building Permit on the premises

NOW, THEREFORE, be it

RESOLVED, that the Town board hereby authorizes the Building Inspector to issue a Partial Building Permit for the subject project for the construction of the building shell for the steel structure presently being erected on the subject site, as recommended by the Town Attorney.

The resolution was unanimously adopted.

Town Attorney John Bailey stated that he, Chief Pacholec and Asst. Chief Wehrfritz attended a seminar that addressed 12 different topics on the Labor Front. He said there has been a huge increase in assorted Federal Agencies that have increased exponentially and they are exerting their power, or control, in places that were not previously regulated.

Councilmember Kaczor stated that he received an e-mail from the Town's Insurance Carriers that handles the Workers Compensation through the State Insurance Fund which has increased \$65,000.00. There has been a lot of commentary in the media about the businesses impacted by Workers Compensation costs in municipalities and it has totally gotten out of control in New York State. We need to speak up against the State taxing us to death. The State needs to get its house in order and give some relief to the municipalities and tax payers.

Chief Pacholec wanted to thank the citizens that came forward to help the Police Department just after a robbery took place at a bank in the Village. The information they provided was crucial to the capture of the robber. He stated this weekend they will have upwards of 15,000 individuals at Chestnut Ridge Park competing in the Hero Rush. Volunteer firefighters from all over the northwest will be competing.

Next weekend there will be the Quaker Mini Triathlon with about 800 competitors running and biking all over the Village, as well as swimming in Green Lake.

Chief Pacholec stated there was an appeals Verdict that was upheld regarding the expired Lieutenants list which expired 12/12/12, which reinstated the old Lieutenants list. He then made the recommendation for the following resolution.

20) 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 approve the appointment of Joseph Ray to the position of Police Lieutenant (Permanent) in the Orchard Park Police Department, Step G 1st year, effective June 5, 2013 at \$79,891.50.

RESOLVED, that the Town Board does hereby approve the appointment of Jason Schiedel to the position of Police Lieutenant (Contingent) in the Orchard Park Police Department, Step G 1st year, effective June 5, 2013 at \$79,891.50.

RESOLVED, that the Town Board does hereby approve the appointment of Patrick Fitzgerald to the position of Police Lieutenant (Contingent) in the Orchard Park Police Department, Step G 1st year, effective June 5, 2013 at \$79,891.50.

The resolution was unanimously adopted.

Chief Pacholec said the intersection of Scherff Rd. & Gartman Rd. is a county highway, but he will bring it to the Public Safety Committee, and they can send a letter to the County.

Highway Superintendent Fred Piasecki said the Highway Department is working on milling or paving the following roads: Boldt Ct., Lakewood Dr., Minden Dr., Armor Duells Rd., Rolling Hill Dr. Regalwood Dr. Green Lake Dr. and Cary Dr.

County Legislator John Mills stated that his philosophy in government is Public Safety first. There are 466 Bridges in Erie County that need to be addressed. Currently the bridge on Lake Ave. is being replaced, and they are looking at the reconstruction of Lake Ave., hopefully in 2014. At the intersection of Gartman Rd. & Scherff Rd., and at the intersection of Armor & Powers, they are proposing to put in roundabouts. Legislator Mills has talked to the County Executive about taking monies out of the Fund Balance and putting it towards Public Safety for the residents of Erie County. The residents need good roads that are taken care of and Police protection, those are the basics things government should be doing.

21) 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 #11 following auditing by members of the Town Board and in the funds indicated:

General Fund	\$68,994.70
Public Safety Fund	\$33,376.65
Part Town Fund	\$564.74
Risk Retention	0.00
Cemetery Fund	0.00
Highway Fund	\$85,755.50
Special Districts	\$123,795.97
Trust & Agency	\$2,054.64
Capital Fund	\$74,070.90

The resolution was unanimously adopted.

22) 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:

- Lake Avenue Bridge (BR 200-3) just west of Southwestern Blvd. and Union Rd in the Town of Orchard Park will be closed beginning Thursday, May 23, 2013, for approximately six (6) weeks through Friday, July 5, 2013, for complete reconstruction/replacement. CATCO will be the contractor, and they will post the detour route.
- Town Highway Superintendents Association of Erie County, Inc. negotiation of a new contract with Erie County Department of Public Works regarding County Roads that would be maintained according to the same snow and ice control methods used on all Town Roads, as approved by the Erie County Department of Public Works.
- New York Public Interest Research Group Fund, Inc. (NYPIRG) is a non-partisan, Not-For-Profit Corporation. NYPIRG's area of concern includes consumer protection, environmental preservation, public health and several other public policy issues. They will be conducting a door-to-door outreach in the community for a brief period between June 1st and July 31st. Activities will entail circulating support statements, soliciting small contributions, distributing information and recruiting support (letters, calls, Participation) on a variety of issues of concern to the community. Questions (716) 795-7012.

The resolution was unanimously adopted.

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

Reports

- Chief of Police's Monthly Reports for the months of February, March, & April, 2013.

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 8:05pm (local time).

Respectfully Submitted,



Carol R. Hutton
Town Clerk