

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 1<sup>st</sup> day of September at 7:00 PM, the meeting was called to order by the Supervisor and there were:

- PRESENT AT ROLL CALL:**
- |                         |                        |
|-------------------------|------------------------|
| Janis Colarusso         | Supervisor             |
| Nancy Ackerman          | Councilwoman           |
| David Kaczor            | Councilman             |
| Edward Graber           | Councilman             |
| Eugene Majchrzak        | Councilman             |
| Carol Hutton            | Town Clerk             |
| Leonard Berkowitz       | Town Attorney          |
| Andrew Geist            | Building Inspector     |
| Frederick Piasecki, Jr. | Highway Superintendent |
| Wayne Bieler            | Town Engineer          |
- Absent:** Andrew Benz Chief of Police

The Pledge of Allegiance was lead by Boy Scout Troop #154. Supervisor Colarusso asked each scout and the Troop Scout Masters to stand and introduce themselves and their rank and thanked them for their participation.

**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 COUNCILWOMAN ACKERMAN, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GRABER, TO WIT:

**RESOLVED**, that the minutes of the Regular Town Board Meeting held on August 4, 2010 and August 18, 2010 and the Executive Session/Special Meetings held on August 11, August 25 and August 30, 2010 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.**

**PUBLIC HEARING**

At 7:03 PM (local time) the Supervisor called for the Public Hearing to hear all interested parties for or against the **Establishment & Creation for Drainage District OPDD 2-3**, Birdsong Subdivision Part 3B – Map, Plan and Report continued from the August 18, 2010 meeting.

Supervisor Colarusso asked if there was anyone in the audience who would like to speak for or against the application for the **Establishment & Creation for OPDD 2-3: No one spoke.**

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

- 8.) Southwesterly on a curve to the left having a radius of 670.00 feet, an arc distance of 354.27 feet (chord being S-67°-48'-23"-W, 350.16 feet) to a point;
- 9.) S-37°-20'-29"-E, a distance of 70.00 feet to a point;
- 10.) Southwesterly on a curve to the left having a radius of 600.00 feet, an arc distance of 34.99 feet (chord being S-50°-59'-17"-W, 34.98 feet) to a point;
- 11.) S-05°-54'-37"-W, a distance of 28.97 feet to a point;
- 12.) S-37°-40'-57"-E, a distance of 44.25 feet to a point;
- 13.) Southeasterly on a curve to the right having a radius of 530.00 feet, an arc distance of 129.67 feet (chord being S-30°-40'-24"-E, 129.35 feet) to a point;
- 14.) N-66°-20'-08"-E, a distance of 149.76 feet to a point;
- 15.) S-87°-04'-07"-E, a distance of 138.10 feet to a point;
- 16.) S-09°-54'-41"-W, a distance of 258.86 feet to a point;
- 17.) Southeasterly on a curve to the right having a radius of 450.00 feet, an arc distance of 129.72 feet (chord being S-71°-49'-48"-E, 129.28 feet) to a point;
- 18.) N-64°-14'-54"-E, a distance of 24.66 feet to a point of curvature;
- 19.) Northeasterly on a curve to the left having a radius of 440.00 feet, an arc distance of 173.77 feet (chord being N-52°-56'-05"-E, 172.64 feet) to a point of tangency;
- 20.) N-41°-37'-15"-E, a distance of 254.52 feet to a point;
- 21.) N-37°-28'-46"-E, a distance of 86.40 feet to a point;
- 22.) N-80°-44'-46"-E, a distance of 125.00 feet to a point;
- 23.) S-09°-15'-14"-E, a distance of 15.00 feet to a point;
- 24.) N-80°-44'-46"-E, a distance of 365.00 feet to a point;
- 25.) N-09°-15'-14"-W, a distance of 170.00 feet to a point;
- 26.) S-80°-44'-46"-W, a distance of 0.73 feet to a point;
- 27.) N-30°-33'-35"-W, a distance of 105.32 feet to a point;
- 28.) N-09°-15'-14"-W, a distance of 703.32 feet to a point of curvature;
- 29.) Northeasterly on a curve to the right having a radius of 160.00 feet, an arc distance of 105.74 feet (chord being N-09°-40'-43"-E, 103.82 feet) to a point of tangency;
- 30.) N-28°-36'-39"-E, a distance of 229.80 feet to a point of curvature;
- 31.) Northerly on a curve to the left having a radius of 90.00 feet, an arc distance of 68.31 feet (chord being N-06°-52'-03"-E, 66.68 feet) to a point of tangency;
- 32.) N-14°-52'-33"-W, a distance of 34.32 feet to a point;
- 33.) S-85°-51'-36"-E, a distance of 21.15 feet to a point;
- 34.) S-14°-52'-33"-E, a distance of 27.42 feet to a point;
- 35.) Southerly on a curve to the right having a radius of 110.00 feet, an arc distance of 83.49 feet (chord being S-06°-52'-03"-E, 81.50 feet) to a point of tangency;
- 36.) S-28°-36'-39"-E, a distance of 229.80 feet to a point of curvature;
- 37.) Southerly on a curve to the left having a radius of 140.00 feet, an arc distance of 92.52 feet (chord being S-09°-40'-43"-W, 90.58 feet) to a point of tangency;
- 38.) S-09°-15'-14"-E, a distance of 699.56 feet to a point;
- 39.) S-30°-33'-35"-E, a distance of 109.35 feet to a point;
- 40.) S-80°-44'-46"-W, a distance of 0.73 feet to a point;
- 41.) S-09°-15'-14"-E, a distance of 170.00 feet to a point;
- 42.) N-80°-44'-46"-E, a distance of 115.00 feet to a point;
- 43.) N-82°-07'-31"-E, a distance of 121.80 feet to a point;
- 44.) S-88°-31'-58"-E, a distance of 122.27 feet to a point;
- 45.) S-89°-55'-53"-E, a distance of 55.54 feet to a point;
- 46.) Southerly on a curve to the left having a radius of 2,200.00 feet, an arc distance of 406.40 feet (chord being S-05°-13'-24"-E, 405.83 feet) to a point;
- 47.) S-79°-29'-04"-W, a distance of 30.00 feet to a point;
- 48.) S-62°-26'-35"-W, a distance of 154.71 feet to a point;

- 49.) N-75°-34'-29"-W, a distance of 169.30 feet to a point;
- 50.) N-66°-27'-18"-W, a distance of 228.12 feet to a point;
- 51.) Northwesterly on a curve to the right having a radius of 2,023.00 feet, an arc distance of 491.65 feet (chord being N-69°-06'-26"-W, 490.44 feet) to a point;
- 52.) S-41°-37'-15"-W, a distance of 256.94 feet to a point of curvature;
- 53.) Southwesterly on a curve to the right having a radius of 450.00 feet, an arc distance of 177.71 feet (chord being S-52°-56'-05"-W, 176.56 feet) to a point of tangency;
- 54.) S-64°-14'-54"-W, a distance of 51.89 feet to a point;
- 55.) S-25°-14'-05"-W, a distance of 52.45 feet to a point;
- 56.) Northwesterly on a curve to the left having a radius of 370.00 feet, an arc distance of 66.08 feet (chord being N-69°-52'-53"-W, 65.99 feet) to a point;
- 57.) S-13°-50'-28"-W, a distance of 212.87 feet to a point;
- 58.) S-88°-01'-51"-E, a distance of 48.13 feet to a point;
- 59.) S-55°-05'-35"-E, a distance of 178.20 feet to a point;
- 60.) S-72°-54'-29"-E, a distance of 893.53 feet to a point;
- 61.) S-49°-12'-05"-E, a distance of 228.31 feet to a point;
- 62.) S-01°-53'-28"-E, a distance of 295.75 feet to a point;
- 63.) S-49°-23'-59"-W, a distance of 36.57 feet to a point;
- 64.) S-20°-30'-26"-E, a distance of 246.54 feet to a point;
- 65.) Northeasterly on a curve to the left having a radius of 320.00 feet, an arc distance of 43.96 feet (chord being N-64°-12'-52"-E, 43.92 feet) to a point;
- 66.) S-29°-43'-14"-E, a distance of 60.00 feet to a point;
  
- 67.) Southwesterly on a curve to the right having a radius of 380.00 feet, an arc distance of 105.00 feet (chord being S-68°-11'-43"-W, 104.67 feet) to a point;
- 68.) S-12°-45'-29"-E, a distance of 210.25 feet to the northerly line of Chapel Hill Subdivision as shown on a map filed in the Erie County Clerk's Office under Map Cover 2491;

**THENCE:** S-87°-11'-36"-W, along the northerly line of said Chapel Hill Subdivision, a distance of 1,028.60 feet to the easterly line of lands conveyed to Michael J. and Robyn E. Loehfelm by deed recorded in Liber 11171 of Deeds at page 3023;

**THENCE:** N-00°-50'-31"-W, along the easterly line of said Loehfelm lands, a distance of 125.98 feet to the northeasterly corner thereof;

**THENCE:** S-87°-09'-29"-W, along the northerly line of said Loehfelm lands, a distance of 125.00 feet to the easterly line of Fox Chapel Estates Subdivision as shown on a map filed in the Erie County Clerk's Office under Map Cover 2491;

**THENCE:** N-02°-50'-31"-W, along the easterly line of said Fox Chapel Estates, a distance of 159.44 feet to a point;

**THENCE:** N-28°57'-29"-W, along a northeasterly line of said Fox Chapel Estates, a distance of 159.15 feet to the southeasterly line of lands conveyed to Timothy E. and Theresa M. Sherer by deed recorded in Liber 11140 of Deeds at Page 2163;

**THENCE:** N-54°-58'-00"-E, along said southeasterly line a distance of 52.00 feet to a northeasterly line of said Sherer lands;

**THENCE:** Along northeasterly lines of said Sherer lands the following three (3) courses and distances:

- 1.) N-34°-14'-34"-W, a distance of 82.79 feet to a point;

- 2.) N-61°-25'-51"-W, a distance of 30.00 feet to a point;
- 3.) N-69°-55'-08"-W, a distance of 136.47 feet to a point on a northerly line of said Fox Chapel Estates;

**THENCE:** Along northerly lines of said Fox Chapel Estates the following three (3) courses and distances:

- 1.) N-61°-29'-31"-W, a distance of 60.00 feet to a point;
- 2.) N-76°-43'-18"-W, a distance of 205.65 feet to a point;
- 3.) N-89°-26'-51"-W, a distance of 200.27 feet to the **POINT OR PLACE OF BEGINNING** containing 61.95 acres be the same more or less.

**WHEREAS**, said petition described the boundaries of the proposed new Town Drainage District OPDD 2-3 in a manner sufficient to identify the lands included therein as in a deed of conveyance and was signed by the petitioners and acknowledged or prove in the same manner as a deed to be recorded, the metes and bounds read as follows:

**WHEREAS**, the proposed new Town Drainage District OPDD 2-3 is bounded and described in the map, plan and report, and

**WHEREAS**, the Town Board has given due consideration to the impact that the establishment of the new Town Drainage District OPDD 2-3 may have on the environment and, on the basis of such consideration, the Town Board has found no substantial adverse environmental impact will be caused by the establishment of such new Town Drainage District OPDD 2-3, and

**WHEREAS**, the Town Board and the Town have complied in every respect with all applicable federal, state, and local laws and regulations regarding environmental matters, including compliance with the New York State and Environmental Quality Review Act, comprising Article 8 of the Environmental Conservation Law and, in connection therewith, a duly executed Short Environmental Assessment Form has been filed in the office of the Town Clerk, and

**WHEREAS**, the Town Board has determined to proceed with the establishment of the proposed new Town Drainage District OPDD 2-3, and

**WHEREAS**, said new Town Drainage District OPDD 2-3 hereinabove described is to be constructed and paid for by or on behalf of the petitioners, Pleasant Acres West, LLC and the expense of the establishment and maintenance of the Drainage District shall be paid by the assessment, levy and collection of property taxes upon the several lots and parcels of land within the proposed Town Drainage District OPDD 2-3 in the same manner and at the same time as other Town charges.

**NOW, THEREFORE, be it**

**RESOLVED AND DETERMINED**, that the drainage infrastructure for said district is to be constructed by the owners of the premises, wholly at their own expense, an they have offered to convey the same without cost to the Town of Orchard Park free and clear of encumbrances, except right to access to said improvement by adjoining land owners, that the cost of connecting the same with the Town of Orchard Park drainage system shall be borne by the owners of properties benefited thereby, and be it further

**RESOLVED AND DETERMINED**, that the Town Clerk be and hereby authorized and directed to file a certificate of this resolution in the Office of the Clerk of the County of Erie, which is the County in which the said Town of Orchard Park is located, and the Office of the State Department of Audit and Control, within ten (10) days after the adoption of this resolution, pursuant to §195 of the Town Law.

The question of the adoption of the foregoing resolution was duly put to a roll call vote.

Supervisor Colarusso	Aye
Councilwoman Ackerman	Aye
Councilman Kaczor	Aye
Councilman Graber	Aye
Councilman Majchrzak	Aye

**The resolution was unanimously adopted.**

**New Business #1 Authorize Supervisor to sign 2010-2013 Snow Removal Contract with Erie County**

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

**WHEREAS**, the Erie County Department of Public Works, Division of Highways have sent the 2010-2013 Snow Removal Contracts, and

**WHEREAS**, Highway Superintendent and Town Attorney have reviewed the contract and found everything in order.

**NOW, THEREFORE, be it**

**RESOLVED**, that the Town Board does hereby authorize the Supervisor to sign the 2010-2013 Snow Removal Contract and Ice Control Agreement with the County of Erie, as recommended by the Highway Superintendent and Town Attorney.

**The resolution was unanimously adopted.**

**New Business #2 Authorize Release of Escrow Maintenance Bond for OPPD Renovations Project**

5) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR COLARUSSO, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GRABER, TO WIT:

**WHEREAS**, on September 3, 2008 the Town Board accepted dedication and approved contract closeout for the above referenced project with stipulation that funds held in retention by the Town of Orchard Park be held in escrow until the two-year warranty period was completed. Due to the small contract amount, the contractor had requested we hold the contract retention in the amount of \$669.64 for the remaining time of the two-year maintenance period, or until a bond was submitted, and

**WHEREAS**, the two-year time period has been completed and all the electrical construction work on the Orchard Park Police Department – Interior Renovations Project has been completed and inspected. Inspection was also completed by the Engineering Department and found to be in compliance with Town specifications.

**NOW, THEREFORE, be it**

**RESOLVED**, that the Town Board does hereby release to Lackawanna Electric, 3021 Baker Road, Orchard Park, New York 14127, the \$669.64 held in escrow for the Orchard Park Police Department –

Interior Renovations Project – Electrical Contract the maintenance security, as recommended by the Town Engineer.

**The resolution was unanimously adopted.**

**New Business #3 Award Contract for Municipal Center Roof Replacement Project**

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

**WHEREAS**, bids were opened for the Orchard Park Municipal Center Roof Replacement 2010 Project on August 31, 2010, and

**WHEREAS**, items included in the project are replacement of the sloped slate and copper roofs with a shingle roof, all flat roof areas are to be replaced with an EPDM rubber roof, new insulation on ducts, and new copper gutters and downspout, and

**WHEREAS**, the Engineering Department and the Town's Consultant, The Browne Company have reviewed the bids of the eight contractors who submitted bids. The lowest bid for the three items included in this project was \$153,760.00. The proposal from the low bidder came in under the engineer's estimate for the entire project, and

**WHEREAS**, the low bidder was Sahlem's Roofing and Siding. This local company has been in business since 1978 and has successfully completed many projects. The company has been found to have the qualifications and experience to perform this work adequately, and

**WHEREAS**, the Town has appropriated funding for the Municipal Center Roof Replacement Project under Capital Project #H88 - Municipal Center Roof & Renovations with (-\$117,693.09) current balance with final project funding through bond anticipation notes. A portion of the \$125,000.00 Grant amount from the New York State Dormitory Authority will also be used to cover grant item costs, but can only be received after completion of the work.

**NOW, THEREFORE, be it**

**RESOLVED**, that the Town Board does hereby award the contract for the Orchard Park Municipal Center Roof Replacement Project to the lowest responsible bidder, Sahlem's Roofing and Siding, Inc., 2260 Southwestern Blvd., West Seneca, NY 14224 in the amount not to exceed \$153,760.00, as recommended by the Town Engineer.

**The resolution was unanimously adopted.**

**New Business #4 Award Contract for Concrete Gutter & Driveway Apron for Ellis Rd. Rec. Project**

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

**WHEREAS**, bids were opened for the Concrete Gutter & Driveway Apron for Ellis Road Reconstruction Project on August 31, 2010, and

**WHEREAS**, the project was bid on a unit price basis for the associated concrete work items. The Engineering Department has reviewed those itemized prices of the four contractors who submitted bids. The lowest bid of \$72,750.00 was below the engineer's estimate of \$87,516.00 for the project.

**WHEREAS**, the low bidder for this project was E.J. Militello Concrete, Inc. The company has been in business since 1996 and has successfully completed various concrete projects in the past, and

**WHEREAS**, there is presently a negative balance of (\$43,726) under Capital Project #H-77, Ellis Road Drainage & Reconstruction for this project work per Capital Project Report. The Town Board approved bond anticipation notes for Ellis Road Reconstruction work for project funding which is presently needed, and

**NOW THEREFORE, be it**

**RESOLVED**, that the Town Board does hereby award the contract for the Concrete Gutters & Driveway Aprons for Ellis Road Reconstruction Project to the lowest responsible bidder, E.J. Militello Concrete, Inc., P.O. Box 770, East Amherst, New York 14051 in the amount not to exceed \$72,750.00.

**The resolution was unanimously adopted.**

**New Business #5 Authorize the purchase of two new 2010 Ford pickup truck.**

**8) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN MAJCHRZAK, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN KACZOR, TO WIT:**

**WHEREAS**, in accordance with the truck replacement program, the Town is looking to purchase a new 2010 pickup truck and a new 2010 one ton stake truck. These two new trucks will be replacing an existing pickup truck and an existing stake truck, both having high mileage and requiring extensive mechanical work.

1993 Ford F-350	154,402 miles
1996 Ford F-150	209,772 miles

**WHEREAS**, the cost of the new 2010 Ford pickup with plow and liftgate totals \$28,142.00. The cost of the new 2010 Ford stake truck totals \$24,490.00. Both trucks will be purchased on State Bid and monies are in the current budget.

**NOW, THEREFORE, be it**

**RESOLVED**, that the Town Board does hereby authorize the Highway Department to purchase a new 2010 Ford pickup and 2010 Ford stake truck, as recommended by the Highway Superintendent.

**The resolution was unanimously adopted.**

**New Business #6 Accept Resignations from Comprehensive Plan Implementation Committee**

**9) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN ACKERMAN, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN KACZOR, TO WIT:**

**RESOLVED**, that the Town Board does hereby accept the resignations with extreme regret, from members Thomas Jaeger and Jack Bertsch of the Comprehensive Plan Implementation Committee.

**The resolution was unanimously adopted.**

**New Business #7 Appointments to Recreation Dept. for Fall/Winter/Spring 2010-2011**

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

**RESOLVED**, that the Town Board does hereby authorize the following staff appointments contingent upon applicant's certification:

<b>NAME</b>	<b>ADDRESS</b>	<b>RATE</b>	<b>POSITION</b>
Tziviyah Abosch	79 Thorn Avenue	\$8.50	PT2-B (LG)
Nichole Augustine	2960 Bullis Rd Elma, NY 14059	\$10.50	PT3-E (LG)
Sarah Badagliacca	7274 Jewett Holmwood	\$8.50	PT2-B (LG)
Gregory Bannister	3753 Nelson Ave	\$8.50	PT2-B (Att)
Andrea Bautista	4336 Kathleen St Hamburg, NY 14075	\$9.50	PT2-D (Att)
Brian Benz	17 Brookview Ter	\$9.00	PT2-B (Att)
Kara Borowiak	230 Highland Ave.	\$8.50	PT2-B (LG)
Peter Brady	14 Regalwood Dr.	\$8.50	PT2-B (Att)
Toby Burns	4128 N. Freeman Rd.	\$15.00	PT6-D (Att)
Jennifer Buskus	P.O. Box 688	\$10.50	PT3-C (Att)
Jenny Capriotto	7123 E. Quaker	\$10.50	PT3-C (Att)
Emily Curran	5 Concord Dr	\$9.00	PT2-B (Att)
Brett Doster	2 Harmony Circle	\$9.50	PT2-D (Att)
Anna Emerling	305 Countryside Lane	\$9.50	PT2-D (Att)
Zoe Gallagher	103 Lancaster Ave	\$10.50	PT3-C (Att)
Kathleen Goodman	132 Meadowbrook	\$15.00	PT6-D (Att)
Emily Graber	37 Hampton Ct	\$9.50	PT2-D (LG)
Kelli Graber	37 Hampton Ct	\$9.50	PT2-D (LG)
Chelsea Hojnacki	4758 Edgewood Dr	\$10.50	PT3-C (LG)
Emily Horn	4825 California Rd	\$9.00	PT2-B (Att)
Shannon Jablonski	121 Whitney Pl Cheektowaga, NY 14227	\$10.50	PT3-C (LG)
Justin Jemiolo	14 Birch Run	\$8.50	PT2-B (LG)
Logan Jensen	7 South Davis St	\$9.00	PT2-B (Att)
Lauren Kaczor	23 Silent Meadow Lane	\$9.00	PT2-B (Att)
Emily Kennedy	40 Sunset Lane	\$8.50	PT2-B (Att)
Tressa Kennedy	40 Sunset Lane	\$10.50	PT3-C (Att)
Florence Kirkner	16 Bender Dr	\$11.25	PT4-A (Att)
Margaret Klee	29 Cherry Tree Lane	\$9.50	PT2-D (LG)
Ashley Kolniak	24 Silent Meadow Lane	\$8.50	PT1-E (LG)
Matthew Kordrupel	6243 Boston Ridge Rd	\$9.00	PT2-B (Att)
Salavatore T. LaDuca	220 Anderson Pl Buffalo, NY 14222	\$11.00	PT3-R (Att)
Kelly Mahoney	12 Brimfield Ct West Seneca, NY 14224	\$8.50	PT1-E (LG)
Sarah Mann	20 Falconcrest Ln	\$8.50	PT1-E (Att)
Gregory Michael	5330 Murphy Rd	\$9.00	PT2-B (LG)
Anna McArdle	55 Jolls Lane	\$9.50	PT2-D (LG)
Collin McArdle	55 Jolls Lane	\$9.50	PT2-D (LG)

Bernadette McCarthy	10759 Partridge Rd Colden, NY 14080	\$10.50	PT3-C (Att)
Janet Marks	1203 Jewett Holmwood Rd	\$10.50	PT3-C (Att)
Emerson Miller	5 Chase Rd	\$8.50	PT1-E (LG)
Marleah Noonan	66 Meadow Rd	\$9.00	PT2-B (LG)
Allison Pawarski	3582 Eric Trail	\$8.50	PT2-B (Att)
Andrea Pawarski	3582 Eric Trail	\$8.50	PT2-B (Att)
Elizabeth Rauh	4199 Mistymeadow Lane Hamburg, NY 14075	\$9.50	PT2-D (Att)
Anne Romanello	34 Hawthorne Ct	\$10.50	PT3-C (Att)
Stephanie Rowland	71 S. Davis St	\$9.00	PT2-B (Att)
Rachael Reimondo	4568 Ardmore Ct Blasdell, NY 14219	\$8.50	PT1-E (Att)
Mary Schichtel	4536 Mt. Vernon Blvd Hamburg, NY 14275	\$10.50	PT3-C (Att)
Alex Shafer	37 North Lincoln Ave	\$9.00	PT2-B (Att)
Victoria Sypniewski	6047 Cole Rd	\$8.50	PT1-E (Att)
Julia Terrien	2058 Main St Buffalo, NY 14208	\$9.50	PT2-D (LG)
Ann Marie wells	13832 White St Springville, NY 14141	\$9.50	PT2-D (Att)
Danielle Whitcomb	37 Pimlico Ave Salamanca, NY 14779	\$9.50	PT2-D (Att)
Ana Zarbo	228 Steven Dr Cheektowaga, NY 14227	\$9.50 \$9.50	PT2-D (Att) PT2-D(Att)

Supervisor Colarusso	aye
Councilwoman Ackerman	aye
Councilman Kaczor	recused
Councilman Graber	recused
Councilman Majchrzak	aye

**The resolution was duly adopted.**

**Refer to Planning Board and/or Conservation Board**

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

**RESOLVED**, that the Town Board does hereby refer the following to the Planning Board and/or Conservation Board: Zaremba Group is proposing the redevelopment of the current "La-Z-Boy" Furniture Galleries'site at 3098 Orchard Park Road, Zoned B-2. (SBL# 152.12-3-5) Applicant proposes to demolish the existing building and construct a 13,600 sq.ft. CVS Pharmacy with site improvements.

**The resolution was unanimously adopted.**

**BUSINESS FROM THE FLOOR**

No one spoke.

**ELECTED OFFICIALS & DEPARTMENT HEADS**

**Budget Transfers**

12) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR COLARUSSO, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN ACKERMAN, TO WIT:

**RESOLVED**, that the Town Board does hereby authorize the following Budget Transfers:

**Highway Department**

\$ 5,000.00 From: A.7110.0449 Channel Cleaning To: A.7110.0402 Parks – Supplies

**Recreation Department**

\$ 1,100.00 From: A.7020.201 Playground Equipment To: A.7020.459 Training

**The resolution was unanimously adopted.**

Councilwoman Ackerman stated that she and Highway Superintendent Piasecki are compiling information for a full report on the Compost Facility. Councilwoman Ackerman relayed information concerning grants obtained for the Compost Facility. In 2005 the Town received a grant for \$461,742.69 and on November 2, 2009 another grant was received for \$669,286.32. The Town has also been approved for a grant for \$296,113.97 making the total over a million and half dollars in grant money. If privatization should occur of this facility, the Town would have to pay back all the grant money awarded to the New York State Department of Environmental Conservation. Another issue to consider if the Facility were privatized would be the tipping fees and trucking fees if the material were to be transported elsewhere to be incinerated. Highway Superintendent has figured this estimated cost savings for the Town to be \$900,000.00.

11) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR COLARUSSO, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN ACKERMAN, TO WIT:

**RESOLVED**, that the Town Board does hereby authorize the Supervisor to execute the Stormwater Easement between Quaker Crossing LLC and the Town of Orchard Park for Dick’s Sporting Goods Store, as recommended by the Town Attorney.

**The resolution was unanimously adopted.**

Police Chief Benz is on vacation.

Highway Superintendent Piasecki reported on the progress of the Ellis Road project. He stated that the Highway Superintendent in Evans paid a compliment concerning Yates Park and commended former Parks and Playground foreman, Jerry Henning and the present foreman, Mike Carey.

Town Engineer Bieler stated that the water will be shut down for four hours for final connections on Ellis Road and the residents will be notified in advance.

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

**RESOLVED**, that the Town Board does hereby authorize the approval of all entries on Warrant #17 following auditing by members of the Town Board and in the funds indicated:

General Fund	\$65,311.97
Part Town Fund	\$475.59
Risk Retention	\$0.00
Cemetery Fund	\$0.00
Highway Fund	\$20,760.24
Special Districts	\$19,435.00
Trust & Agency	\$16,331.63
Capital Fund	\$61,397.74

**The resolution was unanimously adopted.**

**COMMUNICATIONS**

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

**RESOLVED**, that the Town Board does hereby receive & file the following communications:

- The Orchard Park Comprehensive Plan Implementation Committee has two (2) vacancies and is seeking residents who would like to become members. The committee meets the second Monday of the month at 7:00 PM in the basement meeting room.

**The resolution was unanimously adopted.**

There being no further business, on motion by Supervisor Colarusso, seconded by Councilwoman Ackerman, the meeting was adjourned at 7:24 PM (local time).

**Respectfully Submitted,**



**Carol R. Hutton**  
Town Clerk

