

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 18th day of July, 2012 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
Andrew Geist	Building Inspector
Andrew Benz	Chief of Police
Wayne Bieler	Town Engineer
Frederick Piasecki, Jr.	Highway Superintendent

ABSENT:

Carol Hutton	Town Clerk
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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 June 20, 2012, & the Executive/Special Session Meeting Minutes of July 20 & 27, 2012 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 for a Local Law for 2012: Grass Ordinance

At 7:00 PM (local time) the Supervisor called for the Public Hearing to hear all interested parties for or against the Proposed Local Law for the Year 2012: "Grass, Weeds and Brush"

Affidavits and Publication of the Legal Notice of the Public Hearing were presented, read aloud and filed with the Town Board by the Town Clerk.

The Building Inspector stated that the primary intent with this Local Law is to speed up the process by which they would be able to get the vacant properties mowed. Previously, the process took up several weeks to get these properties cleaned up. This Local Law helps to clarify what constitutes properties that need to be addressed.

No One Spoke

2) 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 close the Public Hearing for the 2012 Local Law entitled: "Grass, Weeds and Brush" is hereby closed at 7:10 PM.

The resolution was unanimously adopted.

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

WHEREAS, following due and timely notice a public hearing relating to the Matter of Local Law #3 of 2012 regarding "Grass, Weeds & Brush" was conducted on the 18th day of July 2012, at which time all interested parties were given an opportunity to be heard

NOW, THEREFORE, be it

RESOLVED, that the Town Board is hereby authorized to adopt Local Law #3 for the Year 2012 which provides as follows:

GRASS, WEEDS AND BRUSH

A Purpose

In order to prevent blight and the excessive growth of weeds and grass, it is hereby declared that all lots in an approved subdivision, under which a map cover is filed with the Clerk of the County of Erie or any lot for which at least one building permit has been issued, shall be maintained in conformity with the standards set out in this chapter so as to assure that the subdivision and the community at large will not be adversely affected.

B Standards

It shall be unlawful for any person having control or ownership or any type of tenancy in any lot in an approved subdivision under which a map cover is filed with the Clerk of the County of Erie, or any lot for which at least one building permit has been issued, in the Town of Orchard Park, County of Erie and State of New York, to permit or maintain on such land, or portion thereof, any growth of weeds, grass or other rank vegetation to a height greater than 10 inches on the average, or any accumulation of dead weeds, grass or brush.

C Removal by owner or occupant

It shall be the duty of every owner, occupant, tenant or person in control of such aforesaid land or any portion thereof in the Town of Orchard Park, County of Erie and State of New York, to cut and remove or cause to be cut or removed from the said property all weeds, grass or other rank, poisonous or noxious vegetation as often as may be necessary to comply with the provisions of 120-8.1 (B)

D Inspection, removal by town

1. Ten days after the mailing of a notice by certified mail to the last known address of the property owner, and posting of a notice on the property, the Town Code Enforcement Officer shall make an inspection, and if such inspection discloses that the owner or occupant has not complied with said notice, then the Code Enforcement Officer shall cause weeds, grass and other vegetation on such lands or portions thereof to be cut and removed.

2. If the topography of said land is such as to make it impossible or impractical to use machinery in the clearing and cutting, the Code Enforcement Officer shall first grade the land in order that the cutting and removal may be done by machinery. The actual cost of such cutting and removal, and grading, if necessary, plus a fee of 20% for inspection and administrative overhead therewith, shall be certified by the Code Enforcement Officer to the Town Receiver of Taxes and shall thereupon become a lien upon the property on which said weeds, grass and other vegetation were located, and shall be added to and become a part of the taxes next to be assessed and levied upon such lot or land and shall bear interest at the same rate as taxes and shall be collected and enforced by the same officer and in the same manner as taxes levied and assessed against such property.

E Penalties for offenses

Any person who shall neglect to cut and remove weeds, grass or other vegetation as directed in this chapter, or who shall fail, neglect or refuse to comply with the provisions of any notices herein provided, or who shall resist or obstruct the Town Code Enforcement Officer or his employees in the cutting and removing of weeds, grass and other vegetation, or grading, if necessary, shall, upon conviction thereof, be subject to a fine of not less than \$25 nor more than \$100, and each day on which such violation continues shall constitute a separate offense.

F When effective

This chapter shall take effect immediately after proper filing with the office of the Secretary of State.

The resolution was unanimously adopted.

Public Hearing for a Local Law for 2012: Sex Offenders

At 7:00 PM (local time) the Supervisor called for the Public Hearing to hear all interested parties for or against the Proposed Local Law for the Year 2012: Sex Offenders

Affidavits and Publication of the Legal Notice of the Public Hearing were presented, read aloud and filed with the Town Board by the Town Clerk.

Comments

Joanne Janowski – Ms. Janowski wished to know that once this law is passed, will it Grandfather in any offender who moved into Town prior to the law. Town Attorney Bailey stated that sadly it does not grandfather in previous offenders.

Mary Hildebrand – Ms. Hildebrand wished to know if the person who precipitated this legislation was still living at the same address. Police Chief Benz stated that the person has not changed his address with the Police Department, he does not have to notify the local police, but he does have to notify someone, such as the jurisdiction he moves into.

Sandy Reinlander – Ms. Reinlander wants to know why the Police did not know if the sex offender moved. Police Chief said that the offender does not have to notify the Orchard Park Police, but he does have to notify the jurisdiction he moves into. That information is then sent to Albany and then it would hit the register website.

Ray Stevens – Mr. Steven’s granddaughter lives a few houses down from where the sex offender is possibly moving into. Her bus driver passed her house and then dropped her off two houses down, at the house where the sex offender is possibly moving in. Shouldn’t the schools and the bus drivers be informed about the whereabouts of the predators? Police Chief Benz stated the schools are well aware of the sex offenders and are the ones who send out the notices.

4) 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 close the Public Hearing for the 2012 Local Law entitled: “Sex Offenders” is hereby closed at 7:22 PM.

The resolution was unanimously adopted.

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

WHEREAS, following due and timely notice a public hearing relating to the matter of Local Law # 4 of 2012, “Sex Offenders” was conducted on the 18th day of July 2012, at which time all interested parties were given an opportunity to be heard.

NOW, THEREFORE, be it

RESOLVED, that the Town Board is hereby authorized to adopt Local Law #4 for 2012 which provides as follows:

SECTION 1

Article IV - Sex Offenders

Legislative Intent

The adoption of Megan’s Law has increased public awareness of sexual offenders by requiring them to register with authorities and making such information available to the public. The Town Board of the Town of Orchard Park hereby enacts this Chapter to prevent sex offenders from residing in or living near areas where children regularly meet and congregate. The Town Board of the Town of Orchard Park believes that this legislation is necessary to further protect the best interests of all children, and to protect the health, safety, and welfare of residents in the Town of Orchard Park.

Residency Restrictions

No person over the age of 18 years, who has been convicted of a violation of a sexual offense upon a child of age 16 years or under, as defined by the New York State Penal Law, which would require that individual to register as a sex offender under State and/or Federal laws, shall be permitted to reside or live within 2,000 feet of the real property of any school, park, playground, or daycare center in the Town of Orchard Park unless such residence has been assigned by a supervised release program which provides close supervision of the sex offender’s daily activity, or the residency of said offender was established prior to the enactment of this Chapter.

Penalties for Offenses

Failure to comply with this Chapter is considered a violation and may result in a fine of \$1,500 and/or imprisonment for 15 days.

SECTION 2

EFFECTIVE DATE: This local law shall take effect upon filing in the Office of the Secretary of State.

Councilmember Kaczor stated that the Town Attorney had done research on this Local Law and the Town Board tried to adopt a Law that pushes the envelope as much as possible. He said the other thing that residents can do is educate their children and neighbors need to look out for the children and report anything that looks suspicious to the Police.

The resolution was unanimously adopted.

Old Business # 1 Schedule Public Hearing for rezoning V/L on Freeman Rd. from R-2 to CMO

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

RESOLVED, that the Town Board is hereby authorized to schedule a Public Hearing on Wednesday, August 15, 2012 in the matter of an amendment to the Zoning Ordinance, to rezone 95.7 +/- acres located on the east side of Freeman Rd, north of Jewett Holmwood Road from R-1 to Conservation Management Overlay District (CMO) for the purpose of constructing single-family homes, for "Birdsong West Subdivision", as requested by Dominic Piestrak.

The resolution was unanimously adopted.

Old Business #2 Authorize Building Permit for Lake Shore Saving, 3111 Union Rd.

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

RESOLVED, that the Town Board is hereby authorized to approve the request for a Building Permit from Lake Shore Savings Bank, 3111 Union Rd. located on the east side of Union Rd., north of Valu Home Centers, Zoned B2, with the following conditions and stipulations as recommended by the Planning Board:

- This is a Type 2 Action and therefore no determination of significance is required.
- The site lighting is limited to those fixtures and poles indicated on the approved Site Plan.
- Light fixtures shall have flat lens.
- No outside storage or display is permitted.
- Dumpsters as shown shall be screened, along with any additional dumpsters, in accordance with Section 44-25 of the Town Code.
- Town Engineering Approval is not applicable.
- The Conservation Board Chairman has indicated that the Conservation Board does not need to review this project as it is a betterment and de minimis.

The resolution was unanimously adopted.

New Business #1 Public Display of Firework for Buffalo Bills

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

RESOLVED, that the Town Board is hereby authorized to approve a Public Display of Fireworks permit for the Buffalo Bills Organization, One Bills Drive, to be held on Saturday August 25, 2012, after the game (about 10:30pm). A certificate of insurance is on file in the Town Clerk's office.

The resolution was unanimously adopted.

New Business #2 Designate the “Orchard Park Bee” as the official newspaper of the Town

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

WHEREAS, the “Orchard Park Press” was designated as the official newspaper for the Town, and

WHEREAS, the “Orchard Park Press” published it last edition July 6, 2012, and will no longer be a viable newspaper

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby designate the “Orchard Park Bee” as the official newspaper of the Town for the year 2012.

The resolution was unanimously adopted.

New Business #3 Approve 2012 Stable Permits

10) 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 following 2012 Stable Permits as recommend by the Building Inspector:

- Schott Stables – 6305 S. Abbott Rd.
- Willow View Equestrian – 7895 E. Quaker Rd.

The resolution was unanimously adopted.

New Business #4 Recreation Seasonal Summer Staff Appointments

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 approve the following appointments to the staff of the Town of Orchard Park Recreation Department.

<u>Name</u>	<u>Address</u>	<u>Rate</u>	<u>Position(Title*)</u>
Janet Marks	1203 Jewett Holmwood Rd.	\$10.50	PT3-C (Att)
Nicole Schwab	10376 Partidge Rd.	\$ 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 #5 Authorize mowing and clean-up of 33 Elmtree Rd.

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

WHEREAS, the property located at 33 Elmtree Rd. has been vacant for some time and is in foreclosure, and

WHEREAS, attempts have been made to get the bank to cut the grass which is now 2-3 feet high and no action has been taken

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the grass to be cut every two weeks and the yard to be cleaned up at 33 Elmtree Rd. for 2012, and all the costs will be applied to the tax rolls as recommended by the Building Inspector.

The resolution was unanimously adopted.

New Business #6 Dangerous and Unsafe property hearing to be set for 3885 Taylor Rd.

13) 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 3885 Taylor Road, designated by SBL# 161.00-5-32.1, in which report said Enforcement Officer states his opining the said structures are unsafe and dangerous to the public and recommends 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 reports warrants the securing of said structures or their removal

NOW, THEREFORE, be it

RESOLVED,

1. Notice be given to David McManaman,
2. Said notice be served personally upon David McManaman, 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 the securing of said structures in the following manner, to wit: repair all interior structural deterioration and close in structure from the elements or in the alternative such structures shall be removed from the premises and the structure which is incapable of being safely repaired be removed from the premises, to be commenced within thirty (30) days of the service of said notice and to be completed within sixty (60) days thereafter
4. A hearing is scheduled for the 5th day of September 2012

The resolution was unanimously adopted.

New Business # 7 Dangerous & Unsafe property hearing to be set for 574 Lakeview Ave.

14) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER KACZOR, WHO MOVED ITS ADOPTION, SECONDED BY SUPERVISOR COLARUSSO, 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 574 Lakeview Avenue, designated by SBL# 152.09-2-44, in which report said

Enforcement Officer states his opinion the said structures are unsafe and dangerous to the public and recommends 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 reports warrants the securing of said structures or their removal

NOW, THEREFORE, be it

RESOLVED,

1. Notice be given to James and Laurie Siwy,
2. Said notice be served personally upon James and Laurie Siwy, 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 the securing of said structures in the following manner, to wit: repair all interior structural deterioration and close in structure from the elements or in the alternative such structures shall be removed from the premises and the structure which is incapable of being safely repaired be removed from the premises, to be commenced within thirty (30) days of the service of said notice and to be completed within sixty (60) days thereafter
4. A hearing is scheduled for the 5th day of September 2012

The resolution was unanimously adopted.

Public Safety Committee Recommendations

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

WHEREAS, upon recommendation of the Public Safety Committee, and pursuant to the authority granted by §1660 of the Vehicle and Traffic Law of the State of New York

NOW, THEREFORE, it is hereby

ORDERED, that a "Stop Sign" be posted at the exit of the Leisure Rinks parking lot where it enters Weiss Avenue, and be it further

ORDERED, that the Superintendent of Highways be and is hereby directed to post the proper and necessary sign at said location.

The resolution was unanimously adopted.

BUSINESS FROM THE FLOOR

Jacqueline Briggs – Ms. Briggs is president of the Senior Council, a 501C3 organization, which is dedicated to raising funds for a new senior center to accommodate the needs of our seniors, as the current center is too small. The 2010 census stated that 24.7% of our community is made up of seniors. In 2011 over 20,567 seniors used the center, and that number is growing. The Senior Center is an investment in the future as it enhances the lives of our seniors' emotional, physical and mental well-being.

Kathryn Gorkowicz – Ms. Gorkowicz appreciates the supporting documents for the Town Board meetings being published online. In other Town web sites, such as West Seneca and Clarence, she has found that the Planning Boards and Zoning Boards also publish supporting documentation for their meetings, have their meeting agendas posted well in advance, and also have the supporting documents available for past meetings. Ms. Gorkowicz would like Orchard Park to follow the example of these other Towns.

David Schuster – Mr. Schuster said that when “Quaker Splash” was first brought up that he, and other residents, wanted to know: how it was going to be brought in every night, as it is heavy; by dragging it in every night, the possibility of it being torn; how the residency requirements would be enforced; and liability – no one answered him. Now all these problems have come to fruition, and the “Quaker Splash” is up 24/7. Quaker Splash was ill conceived, poorly researched and inadequately investigated by this Board.

Thomas Pieczynski – Mr. Pieczynski said that he came in tonight to get some official movement on replacing the current undersized, unsafe Senior Center on Linwood. He presented a plan in February for the purchase and renovation of the Baker Road School. Mr. Pieczynski said the Town officials were elected to take care of all residents, and that includes seniors who are being ignored. Seniors are just as important as the youth and support all the local business, services and volunteer in many areas, and need the support provided by the Senior Center. The seniors would like to sit down with the Town Board to see how they can move forward with a new center.

John Marlow – Mr. Marlow said the Recreation Director never contacted him after he left a message on April 13th. Mr. Marlow said that “Quaker Splash” is no longer taken down at night as promised, and it was due to damage caused by the daily movement. If this is the case, it did not last 7 weeks, let alone 7 years. It looks like watchmen are being used throughout the night to prevent vandalism, will this continue for the rest of the season? Why have any regulations as all, at least 85 to 90% of the people using Green Lake are non residents, and rules are not being enforced.

Carol Jo Pope – Ms. Pope wanted to know if Green Lake is open to the public now. There is no one checking for residency, and we are not paying attention to the gift we got from Mr. Yates. She does not want Green Lake to become a destination site.

Sharon Orendorf – Ms. Orendorf is a teacher at the Senior Center. She stated that there is a real issue with the lack of space in the Senior Center, and that she supports a larger Senior Center. Many times there are more than one event taking place at the Senior Center, and it is hard to teach a class when that happens. She is here to support Anna Willems, the Senior Center director, and all that she does for the Seniors. Anna recently won an award from the Lions Club for her service. Ms. Orendorf and her husband go to Green Lake 3 or 4 times a week, and most cars don’t have tags and there is no one checking them.

ELECTED OFFICIALS & DEPARTMENT HEADS

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

WHEREAS, the Town Justice Court has been successful in obtaining a grant for the purchase of certain office equipment, furniture & construction of reception/pay window for the Courts and

WHEREAS, the Town Justice Court did not include either the grant revenues or the appropriations to provide these additional purchases in the year 2012 adopted budget, and

WHEREAS, the Town Justice Court does desire to purchase the additional equipment with such grant funds

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorize the amending of the 2012 adopted budget to authorize additional appropriations and estimated revenues of \$2,362.00:

Increase Appropriations:

PS.1110.0462	Town Justice- Ct Asst. Prog. Expense	\$2,362.00
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Increase Estimated Revenues:

A.0000.3330	General – Court Asst. Program Grant	\$2,362.00
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The resolution was unanimously adopted.

Supervisor Colarusso stated that by the end of the 2013 budget process, she should have an idea where the Town is going with the Senior Center. She has been doing her homework, and talking with Anna (Senior Director) regarding Baker Road and Brush Mountain. Regarding the Planning, Zoning & Conservation Boards having their meeting back up documentation put on line, there is only one secretary to cover all three boards, their meetings and the work involved for those boards. That Department actually needs another full time person, but Supervisor Colarusso said she would talk to Rose about the possibility of posting those documents. Regarding Green Lake, Supervisor Colarusso stated that the Town really cannot close that park to anyone if the Town obtains government grants for the Park. For example, the dam at Green Lake is going to cost \$3 million to repair, and the Town may have to seek grants for that.

Town Attorney John Bailey stated that one of the prerequisites of funding from State and Federal governments is that the money be spent for the general public, and not for exclusionary purposes like running a town park only open to residents.

Councilmember Kaczor said that the “Quaker Splash” is being left up all night. The reasons - the amount of manpower it takes to move the equipment, and the potential damage to the equipment from pulling it over the terrain. The operation times for “Quaker Splash” have remained the same. As far as the permits go, the Town does not want to go to the expense of hiring anyone to police the permits at this time. As with the other concerns at Green Lake, if a problem arises, the Town Board will address it. Councilmember Kaczor stated that there are 10 to 12 thousand residents who use Green Lake for recreation and enjoy it. Councilmember Kaczor advised Ms. Briggs of the Senior Council to get the dates of their fund raisers to the Supervisor and they can be put up on the web site and in the recreational brochures. He also told Ms. Briggs to contact Ed Leak, Recreation Director, to help them with the marketing of their events.

Councilman Kaczor stated that the Town of Orchard Park has only one person who handles all the IT issues, as well as the web site. The Town is looking to hire another person for the IT Department next year, and maybe then the Town will be able to do more with the web site. He wanted to make the following announcements: Chestnut Ridge Conservancy is showing the Maltese Falcon at Chestnut Ridge on July 29th and it is free; July 25th is Caribbean Night aka the Taste Of Orchard Park; July 27th is the Ice Cream Social at the Depot; July 28th is the Lions Club Car Show in the afternoon, and in the evening is the Street Day at the Library with the Boys of Summer.

Councilmember Kaczor stated that the down turn in the economy, the drop in new homes being built, reduced sales tax revenues all affect the Town's budget. As much as the members of the Town Board would like to proceed with different projects, they have to be fiscally responsible, and wait until the Town is in better financial shape to proceed with the projects.

Councilmember Majchrzak said he was on the Planning Board and knows the secretary (Rose), if she had the time and the help, would put up all the information for the meetings on line. But at this time she is the only full time person in that office, where other Towns have a much larger staff and are able to do more. Speaking of the budget, he stated that there was a Capital Improvement project meeting in June where they discussed the many infrastructure projects, not visible to the naked eye, that need to be addressed fairly soon. Councilmember Majchrzak said the Work Session next week will not be cancelled, and will be held at the regular time.

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

RESOLVED, that the Town Board is hereby authorized to schedule a Public Hearing for August 15, 2012 to discuss Bonding for Capital Projects, as recommended by the Town Attorney.

The resolution was unanimously adopted.

Police Chief Benz said in conjunction with Quaker Days, the Police Department is holding its annual Open House on Friday, July 27th, and they will be cooking hot dogs, for the public, in front of the Municipal Building

Highway Superintendent Piasecki stated the Highway Department is in paving mode on Benning Road, Scattertree Ln., Butternut Circle, Hawthorn Circle, Creekside, Minden and Iroquois Dr.

18) 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 #'s 12 & 13 following auditing by members of the Town Board and in the funds indicated:

General Fund	\$49,369.24
Public Safety Fund	\$16,331.07
Part Town Fund	\$3,546.19
Risk Retention	\$0.00
Cemetery Fund	\$0.00
Highway Fund	\$34,184.99
Special Districts	\$37,549.08
Trust & Agency	\$4,002.43
Capital Fund	35,486.49

The resolution was unanimously adopted.

19) 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 receive and file the following Communications & Reports:

Communications:

- Stryker Medical Company located at 10 Centre Drive will be closing its Orchard Park plant on or about December 31, 2012. Ninety-six employees in total will be affected. This action is expected to be permanent. For further information you may contact Gail A. Orffeo at 716-662-8741.
- WNY Emerald Ash Borer Task Force Presents a Homeowner Workshop on Emerald Ash Borer at Canisius College – Grupp Lounge, Richard E. Winters Building. Date: Saturday, July 21, 2012, at 9 am – 12 pm., Registration is at 8:45 am. Workshop is free, and will educate homeowners about how to identify the Emerald Ash Borer & how to protect their trees.

Reports:

- Chief of Police Monthly Report for May 2012
- Building Inspector's Monthly Report for June 2012
- The Board of Ethics letter to report that all elected officials, employees & appointed members of the Town Boards & Committees that are required to file the Annual Statement of Financial Disclosure have filed their statements, with the exceptions as noted.

The resolution was unanimously adopted.

There being no further business, on motion by Supervisor Colarusso, seconded by Councilmember Kaczor, the meeting was adjourned at 8:23 PM (local time).

Respectfully Submitted,



Kathleen A. Swarbrick
Deputy Town Clerk