

A Special Meeting was called by the Town Board of the Town of Orchard Park, Erie County, New York, held at the Orchard Park Municipal Center, S4295 South Buffalo Street, Orchard Park, New York on the 13th day of July, 2011 at 6:15 PM, (local time) and there were:

<b>PRESENT:</b>	Janis Colarusso	Supervisor
	Nan Ackerman	Councilmember
	David M. Kaczor	Councilmember
	Eugene Majchrzak	Councilmember
	Kathleen Swarbrick	Dep. Town Clerk
	Leonard Berkowitz	Town Attorney
	Wayne Bieler	Town Engineer
	Fred Piasecki	Highway Superintendent
Absent	Edward Graber	Councilmember

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

**RESOLVED**, that at 6:15 p.m. the Town Board does hereby move to open a Special Meeting of the Town Board.

**The resolution was unanimously adopted.**

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 approve the entries on Warrant #11 following auditing by members of the Town Board and in the funds indicated:

<b>General Fund</b>	\$85,986.05
<b>Part Town Fund</b>	\$2,963.22
<b>Risk Retention</b>	0
<b>Cemetery Fund</b>	0
<b>Highway Fund</b>	\$163,285.31
<b>Special Districts</b>	\$147,559.02
<b>Trust &amp; Agency</b>	\$4,597.94
<b>Capital Fund</b>	\$437,256.49

**The resolution was unanimously adopted.**

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

**RESOLVED**, that the Town Board does hereby approve the request of the Village of Orchard Park to display the banner for their "Quaker Days" on the front lawn of the Municipal Center, which will be held from July 26<sup>th</sup> to July 31.

**The resolution was unanimously adopted.**

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

**WHEREAS**, the Supervising Building Inspector Andrew Geist has done a site inspection, with the Police, at 4038 California Rd. to see if the owner had done anything about the deplorable conditions of this property. The last time Mr. Giest talked to the owner, he said he was planning to demolish the buildings, which has not been done, and

**WHEREAS**, the owner has failed to contact Mr. Geist, or do anything to secure the property

**NOW, THEREFORE, be it**

**RESOLVED**, that the Town Board does hereby declare the building at 4038 California Rd. as Dangerous and Unsafe, and authorize the Town Attorney to initiate the procedures per chapter 47 of the Town Code, as recommended by the Supervising Building Inspector.

**The resolution was unanimously adopted.**

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

**RESOLVED**, that the Town Board does hereby authorize Building Inspector Andrew Geist to have the lawn mowed monthly for the 2011 mowing season at the following address: 60 Velore Avenue, and be it further

**RESOLVED**, that the cost for mowing will be put on the tax rolls.

**The resolution was unanimously adopted.**

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

**WHEREAS**, in order to remain on schedule for the Forest Drive Bridge Replacement Project and to keep the public informed, Town of Orchard Park should schedule an Informational Meeting about the project, with representatives from the Town and Abate Engineers, the Town's consultant, to be present.

**NOW, THEREFORE, be it**

**RESOLVED**, that the Town Board does hereby schedule an informational meeting for Tuesday, August 9, 2011 at 7:00 PM in the Orchard Park Municipal Center Basement Meeting Room on the Forest Drive Bridge Replacement and authorize advertisement in the Orchard Park Bee, as recommended by the Town Engineer.

**The resolution was unanimously adopted.**

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

**WHEREAS**, on June 30, 2011, a final inspection was conducted of the public improvements constructed for the Weiss Avenue Utility & Road Extensions. The project consisted of the installation of 1,050 L.F. extension of Weiss Avenue and public utilities to serve Eagle Crest Senior Village and two (2) potential commercial lots as shown on the attached location map. The completion of this work will facilitate the

construction of the Eagle Crest Senior Village and two (2) additional commercial lots along the Right-of-Way, and

**WHEREAS**, all work has been satisfactorily completed in accordance with Town specifications. The Town is in receipt of easement descriptions/map, a two-year maintenance security bond in the amount of \$162,500 along with all other necessary documents.

**NOW, THEREFORE, be it**

**RESOLVED**, that the Town Board does hereby authorize the Town Attorney proceed with the dedication of the Weiss Avenue Utility & Road Extensions public improvements for Eagle Crest Village under PIP #2009-04, and authorize the Town Clerk to release the performance security in the amount of \$325,000, as recommended by the Town Engineer.

**The resolution was unanimously adopted.**

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

**WHEREAS**, Simoncelli Electric, 3720 California Rd. received approval for a Building Permit on February 17, 2010, which expired February 17, 2011, and

**WHEREAS**, Simoncelli Electric has experienced a delay in obtaining the three year landscape bond, and received a 90 extension on February 23, 2011, but were unable to complete the required work and now need one more extension

**NOW, THEREFORE, be it**

**RESOLVED**, that the Town Board does hereby approve the request of Simoncelli Electric for a ninety (90) day extension on the approval for a Building Permit, as recommended by the Building Inspector

**The resolution was unanimously adopted.**

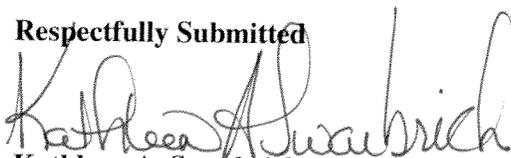
9) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER KACZOR, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER ACKERMAN, TO WIT:

**RESOLVED**, that the Town Board does hereby authorize a Operating Permit, and Fireworks display for St. John Vianney Church on July 22, 23 and 24<sup>th</sup>, as recommended by the Building Inspector.

**The resolution was unanimously adopted.**

There being no further business, on a motion by Supervisor Colarusso, seconded by Councilmember Kaczor, the meeting adjourned at 6:32 PM (local time).

**Respectfully Submitted**



**Kathleen A. Swarbrick**  
Deputy Town Clerk