

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 27th day of July 2011 at 7:00 PM, the meeting was called to order by the Councilwoman Ackerman and there were:

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

Councilmember Ackerman 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 ACKERMAN, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER KACZOR, TO WIT:

RESOLVED, that the Regular Town Board Meeting held on June 22, 2011, the Special Session/ Executive Meetings held on June 22, & July 13, 2011 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 7:00 PM (local time) Councilmember Ackerman called for the Public Hearing to hear all interested parties for or against to establish a Drainage District for the Orchard Park Drainage District OPDD #3-5 for Orchard Park Commerce Center.

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.

Councilmember Ackerman asked if there was anyone in the audience who would like to speak for or against the proposed Drainage District.

No one spoke.

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

RESOLVED, that the Public Hearing to consider establishing a Drainage district for the Orchard Park Drainage district OPDD #3-5, is hereby closed at 7:05 PM (local time).

The resolution was unanimously adopted.

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

WHEREAS, a map, plan and report relating to the establishment of a proposed Town of Orchard Park drainage district number 3-5 as prepared by Carmina Wood Morris, P.C., duly licensed civil engineers of the State of New York, in a manner and in such detail as has been determined by this Town Board, has been duly filed with the Town Clerk, in accordance with the requirements of Article 12 of the Town Law; and

WHEREAS, an Order was duly adopted by this Town Board on June 22, 2011, reciting the filing of said map, plan and report, the improvements proposed, the boundaries of the proposed district, the proposed method of financing, the fact that the map, plan and report describing the same are on file in the Town Clerk's Office for public inspection, and stating all other matters required by law to be stated, and specifying July 27, 2011, at 7:00 in the afternoon of said day as the time, at the Town of Orchard Park Town Hall, as S 4295 South Buffalo Street, Orchard Park as the place where this Town Board would meet and consider said map, plan and report, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law; and

WHEREAS, such order was duly published and posted as required by law; and

WHEREAS, a hearing on said matter was duly held by said Town Board on July 27, 2011, 2011 at 7:00 p.m. in the afternoon of said day, in the Orchard Park Town Hall, as 4295 South Buffalo Street, Orchard Park, New York, and no person appearing in opposition to and the petitioner appearing in favor of the petition; and

WHEREAS, pursuant to said petition, it is the intention of the petitioner, as sole owner of all the taxable property in said drainage district, to construct said drainage improvements solely at its own expense, now, after due deliberation, it is

RESOLVED AND DETERMINED:

- That the notice of hearing was published and posted as required by law, and is otherwise sufficient;
- That all property and property owners in the proposed district are benefitted thereby;
- That all property and property owners benefitted are included within the limits of the proposed district;
- That it is in public interest to establish said district; and be it further

RESOLVED AND DETERMINED, That the establishment of the proposed district as set forth in said map, plan and report be approved; that the improvements therein mentioned be constructed by the petitioner; and such district shall be known and designated as the "Town of Orchard Park drainage district number 3-5" and shall be bounded and described as set forth:

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Orchard Park, County of Erie and State of New York; described as part of Lot 24, Township 10, Range 7 and Lot 27, Township 10, Range 6 of the Buffalo Creek Reservation Survey; bounded and described as follows:

Beginning at a point in the centerline of Lake Avenue (as an 80 foot road), distant 931.48 feet westerly from the northeast corner of Lot 24 as measured along the centerline of Lake Avenue; Thence S 00°27'35" W, a distance of 400.00 feet to the True Point and Place of Beginning; Thence continuing S 00°27'35" W, a distance of 471.20 feet to a point; Thence S 89°07'58" E, a distance of 150.00 feet to a point; Thence N 00°27'35" E, a distance of 25.89 feet to a point; Thence S 89°07'58" E, a distance of 777.54 feet to a point in the east line of Lot 24; Thence S 00°43'36" W, and along the east line of Lot 24, a distance of 1742.51 feet to a point in the northerly line of lands acquired by Erie County Department of Public Works by Map SK 159-47, Parcel 45 per Liber 7095 Deeds Page 459; Thence westerly along the northerly line of lands acquired by Erie County to following courses and distances:

N 89°09'35" W, a distance of 391.63 feet to a point;

S 00°50'25" W, a distance of 10.00 feet to a point;

N 89°09'35" W, a distance of 18.37 feet to a point;

S 00°50'25" W, a distance of 1.00 feet to a point;

N 89°09'35" W, a distance of 90.00 feet to a point;

N 00°50'25" E, a distance of 1.00 feet to a point;

N 89°09'35" W, a distance of 639.63 feet to a point;

N 00°50'25" E, a distance of 10.00 feet to a point;

N 89°09'35" W, a distance of 38.87 feet to a point in the west line of Liber 1048 of Deeds at page 202;

Thence N 00°13'05" E, and along the west line of said Liber 1048 of Deeds at page 202, a distance of 19.00 feet to a point in the north line of lands to New York State by Map 655, Parcel 762 per Liber 7470 Deeds Page 221;

Thence N 85°38'14" W, and along the north line of said lands to New York State, a distance of 526.92 feet to a point; Thence N 50°39'44" W, a distance of 211.88 feet to a point in the east line of Lot 24;

Thence N 00°27'35" E and along the east line of Lot 24, a distance of 411.73 feet to a point in the

easterly an northeasterly line of lands to the State of New York for the Southern Expressway Sect. 1, by Map 105, Parcel 146 per Liber 7500 of Deeds at page 311; Thence northerly and northwesterly along said lands to New York State the following courses and distances:

N 18°08'01" W, a distance of 348.01 feet to a point;

N 52°33'55" W, a distance of 730.43 feet to a point;

N 36°35'16" W, a distance of 203.00 feet to a point;

N 10°40'55" W, a distance of 1037.64 feet to a point in the southeasterly line of lands to the State of New York for the Southern Expressway Sect. 1, by Map 105, Parcel 149 per Liber 7500 of Deeds at page 311;

Thence N 77°34'01" W and along the southeasterly line of said lands to New York State, a distance of 50.83 feet to a point in the southerly line of Lake Avenue (as an 80 foot road); Thence S 89°08'09" E, and along the southerly line of said Lake Avenue, a distance of 67.79 feet to a point in the west line of lands in Liber 8007 of Deeds at page 250;

Thence S 00°27'35" E, a distance of 250.00 feet to a point in the south line of said Liber 8007 of Deeds at page 250; Thence S 89°08'09" E, along the south line of said Liber 8007 of Deeds at page 250 and parallel with Lake Avenue, a distance of 800.00 feet to a point in the east line of said Liber 8007 of Deeds at page 250; Thence N 00°27'35" W, and along the east line of said Liber 8007 of Deeds at page 250, a distance of 250.00 feet to a point in the south line of said Lake Avenue; Thence S 89°08'09" E, and along the southerly line of said Lake Avenue, a distance of 100.00 feet to a point in the east line of Lot 27 also being the east line of Lot 24; Thence S 00°27'35" E, and along the east line of Lot 27 also being the east line of Lot 24, a distance of 804.80 feet to a point being the northwest corner of lands in Liber 9534 of Deeds at page 163; Thence S 89°07'58" E, a distance of 487.50 feet to a point; Thence N 00°28'36" E, a distance of 594.80 feet to a point; Thence S 89°07'58" E, a distance of 305.00 feet to a point; Thence S 00°28'36" W, a distance of 150.00 feet to a point; Thence S 9°07'58" E, a distance of 157.19 feet to the True Point and Place of Beginning.

This parcel containing 4,542,040 Sq.Ft. or 104.271 Acres more or less

And be it further

RESOLVED AND DETERMINED, That the improvements for such drainage district are to be constructed by, Orchard Park Commerce Center, Inc., the owner of the "Exhibit A" premises, solely at its own expense, and it has offered to convey the same without cost to the Town of Orchard Park, free and clear of encumbrances except the right of access to said improvements by adjoining land owners; that the costs of maintaining said drainage district shall be born by the owners of properties benefitted thereby; and be it further

RESOLVED AND DETERMINED. That the Town Clerk be and hereby is authorized and directed to file a certified copy 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 10 days after the adoption of this resolution, pursuant to the provisions of Section 195 of the Town Law.

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

Councilwoman Ackerman	Aye
Councilman Kaczor	Aye
Councilman Graber	Aye
Councilman Majchrzak	Aye

The resolution was duly adopted.

Old Business #1 Authorize Building Permit for Harvest Hill Golf Course

4) 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 authorize a Building Permit and site plan approval for Harvest Hill Golf Course, 3052 Old Transit Rd., located on the west side of Old Transit Rd., Zoned R-2, to construct a parking lot with associated landscaping and berms based on the site Plan received 8/23/10, based on the following conditions and stipulations:

- This is an Unlisted SEQR action based on the submitted Long EAF, Parts One and Two and a Negative Declaration is recommended.
- 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 144-25 of the Town Code.
- Town Engineering Approval was granted on 7/13/11.
- A landscape completion bond, in accordance with the Conservation Board minutes, in the amount of \$61,170.00 shall be provided for the landscape plan received 8/23/10 which includes 62% +/- total green space and 10.47% interior green space for parking lot, prior to the receipt of a Building Permit.

The resolution was unanimously adopted.

NOW, THEREFORE, be it

ORDERED, that the posting of a “Stop” sign be erected immediately on Redtail Road at the intersection of Windward Road, and be it further

ORDERED, that the posting of a “Stop” sign be erected immediately on Sterling Park at the intersection of Windward Road, and be it further

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

The resolution was unanimously adopted.

New Business #6 Approve the Provisional appointment of Junior Engineer

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

WHEREAS, On August 5, 2003 the Erie County Department of Personnel approved the Junior Engineer Position for the Town of Orchard Park based on job classifications and duties and

WHEREAS, since December 2008 there has been a Junior Engineer position vacancy in the Engineering Department. The Engineering Department has for the past several years proposed filling the Junior Engineer position with budget submittals. The Junior Engineer would assist with the increased technical workload associated with maintaining the Town’s increasing/aging infrastructure. and

WHEREAS, Minimum qualifications include graduation from a regionally accredited or New York State registered college or university with a Bachelor’s Degree in Civil Engineering and

WHEREAS, that after interviewing several candidates I have concluded that the best-qualified individual for the position is Jason Doktor. Mr. Doktor will be performing entry level professional engineering work in the office or field in connection with design, inspection, maintenance and/or construction of civil engineering projects. Work includes complex technical duties that apply the principles of civil engineering to a variety of engineering problems either as a regular assignment or as a training experience. Work is performed under the direct supervision of higher ranking engineering staff with limited leeway for the exercise of independent judgment, and

WHEREAS, Mr. Doktor has worked assisting in the completion of various projects for Erie County Division of Sewerage Management for the past year and has graduated from the Rochester Institute of Technology with a Bachelor of Science Degree in Civil Engineering Technology in 2009. Jason Doktor has completed the challenges of the duties and responsibilities from his former employers with enthusiasm and has performed his assignments with diligence and effectiveness receiving excellent recommendations from previous employers

NOW, THEREFORE be it,

RESOLVED, that the Town Board does hereby approve Mr. Jason Doktor, 243 Terrace Boulevard, Depew, NY 14043, to the position of Junior Engineer assigned to the Engineering Department at Range 0012, Step A-1st yr. of the union wage schedule effective August 15, 2011 with a six-month probation period and pending meeting all Civil Service rules and regulations, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #7 Approve request for Scavenger Hunt

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

RESOLVED, that the Town Board does hereby approve the request from the Orchard Park Recreation Department to hold a scavenger hunt for teenagers in the community. This event will take place on Saturday August 13, 2011, from 11:00 AM to 3:00 PM. The hunt will take place on North Buffalo Road and will start and end at Yates Park.

The resolution was unanimously adopted.

New Business #8 Approve request for Quaker's Landing Memory Care Community

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 request from Quaker's Landing Memory Care Community, to hold a special and spectacular fundraising event on August 24th (rain date: August 25th) to host a Japanese Wish Lantern Launch, to benefit the Western New York Alzheimer's Association.

The resolution was unanimously adopted.

New Business #9 Town Board to Schedule Public Hearing

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

RESOLVED, that the Town Board is hereby authorized to set a Public Hearing for August 24, 2011 at 7:00 PM (local time) regarding a Proposed Local Law for the Year 2011 for the purpose of review and revision of the Orchard Park Town Code of Ordinances as follows:

- Amendment to Zoning Ordinance 144,17.1 (D); Add (7) Fees - The Conservation Management Overlay District shall be subject to the following fees; Public Hearing Fees, Recreation Fees (if land is not taken in lieu of recreation fees) and Subdivision Development fees.
- Amendment to Zoning Ordinance I-1 Industrial - Schedule of Use Controls: I-1 Industrial Add to Special Exception Uses: Franchised Motor Vehicle Dealerships
- Amendments to Zoning Ordinance 144 Attachment 1 Schedule of Zoning Fees:
Delete: (P) (3) "Planning Board Public Hearing Fee: \$75.00"
Planning Board and Town board Public Hearing Fees have been added to 144 Attachment 1 (B)

The resolution was unanimously adopted.

New Business #10 Approve Block Party

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

RESOLVED, that the Town Board does hereby approve the Block Party for the residents of the Forest Creek Subdivision, Saturday, August 20th, from 5:00 PM until 11:00 PM, and authorize the Highway Superintendent to supply orange cones to block a section to thru traffic.

The resolution was unanimously adopted.

New Business #11 Appoint Part-time Seasonal Laborer

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

RESOLVED, that the Town Board does hereby appoint Andrew W. Bieler of 7245 Gartman Rd, to the position of Laborer, Part-time Seasonal, under the Maintenance Department retroactive to July 18, 2011, at a wage rate of \$7.50/hr off the Non-Union Wage Schedule, Job class PT 1, Step A.

The resolution was unanimously adopted.

New Business #12 Approve 2011 Stable Permit

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

RESOLVED, that the Town Board does hereby approve the 2011 Stable Permit for Schott Stables, 6305 S. Abbott Rd., as recommended by the Building Inspector.

The resolution was unanimously adopted.

New Business #13 & 14 Assessor to attend NYSSA Fall Conf. & Comm. & Indust. Appraisal Class

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

RESOLVED, that the Town Board does hereby authorize Assessor Milton Bradshaw to attend the NYSSA Fall Conference, September 11-14, 2011 at the Adam's Mark Hotel in Buffalo, the estimated cost is \$350 which includes classes and meals and be it further,

RESOLVED, that the Town Board does hereby authorize Assessor Milton Bradshaw to attend the Commercial & Industrial Appraisal Class, October 4-7, 2011 at the Embassy Suites, Syracuse, NY, the cost would require four night's hotel @ \$93.00 per night (\$372) plus tuition (\$300) and meals (\$375 estimate) approximate cost would be \$1,050.00.

The resolution was unanimously adopted.

New Business #15 Authorize Recreation Department 2011 Seasonal Staff Appointments

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

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

<u>NAME</u>	<u>ADDRESS</u>	<u>RATE</u>	<u>POSITION</u>
Mariah Glass	82 Larchmont	\$10.50	PT3-C(LG)

The resolution was unanimously adopted.

New Business #16 Approve Budget Amendments

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

WHEREAS, the Town Board has reviewed its capital plan as of June 30, 2011, and

WHEREAS, the Town wishes to initiate certain projects and adjust the funding for certain projects to appropriately fund the Town's current capital needs,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the following:

1. The transfer of \$2,238.33 from "Baker Road & Bridge Construction" (project H20) to the "Town Park Improvements" (project H07). The "Baker Road & Bridge Construction" (project H20) can then be closed.
2. The transfer of \$1,456.47 from "Parks Equipment Acquisition" (project H46) to the "Town Park Improvements" (project H07). The "Town Park Improvements" (project H07) can then be closed.
3. The transfer of \$7,262.58 from "California Road Park Master Plan" (project H51) to "California Road Parkland Improvements" (project H13). The "California Road Park Master Plan" (project H51) can then be closed.
4. The transfer of \$5,192.26 from "Police Wing Remodeling" (project H70) to "General Capital Reserve" (project H27). The "Police Wing Remodeling" (project H70) can then be closed.
5. The transfer of \$5.08 from "Short Drive Road & Drainage" (project H72) to "Road Reconstruction Projects" (project H58). The "Short Drive Road & Drainage" (project H72) can then be closed.
6. The transfer of \$15,918.96 from "Wallace Drive Turnaround" (project H84) to "Iroquois Drainage" (project H82). The "Wallace Drive Turnaround" (project H84) can then be closed.
7. The transfer of \$24,307.50 from "Fire Alarm System" (project H85) to "Municipal Center Improvements" (project H88). The "Fire Alarm System" (project H85) can then be closed.
8. The transfer of \$300,000.00 from the "Public Improvement Permit Trust" (account T87) to the "Green Lake Dredging and Dam Rehabilitation" (project H19).

The resolution was unanimously adopted.

New Business #17 Approve a non-profit community event

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

RESOLVED, that the own Board does hereby approve a non-profit community event for our emergency responders called "Emergency Responders Appreciation Day". This event is to be held at Green Lake on September 3, 2011. This is being initiated by Joseph Terranova, from Terranova Insurance Services, LLC.

The resolution was unanimously adopted.

Refer to Planning & Conservation Boards

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

RESOLVED, that the following request be referred to the Planning Board & Conservation Board

- 3494 Amelia Drive, in the Quaker Crossing Plaza, site of the former "Montana's, located on the west side of Amelia, north of Milestrip Road, Zoned B1. QC Properties, LLC, Gerald Buchheit, requests a Building Permit and Site Plan approval to demolish this vacant building and construct a new building to be occupied by "Longhorn Steak House". (SBL# 152.17-1-13.12)
- Bradley Walker, 10 Minden Drive, located on the south side of Minden Road, east of Berg Road, Zoned R-3. (SBL# 152.10-4-6) Mr. Walker is requesting that the Town Board grant a Special Exception Use Permit to operate a Tax and Accounting business at this location.

The resolution was unanimously adopted.

BUSINESS FROM THE FLOOR

Sylvester Coppola – Mr. Coppola was raising chickens at his house, but he was told by our Building Inspector that the Town Ordinance does not allow for that where he lives. He wants to find out how he can be allowed to raise chickens. Town Attorney Berkowitz stated that the Town Law would have to be changed.

James Berlin – Mr. Berlin wants to start a Neighborhood Watch Program on Minden Dr. and has a petition requesting the same signed by his neighbors. He is asking for support from the Town Board and the law enforcement agencies to start a neighborhood watch program. Police Chief Benz stated that he will have one of his officers contact Mr. Berlin.

ELECTED OFFICIALS & DEPARTMENT HEADS

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

WHEREAS, the Town has experienced significant increases in the cost of gasoline, diesel fuel and other petroleum based products, and

WHEREAS, while the Town has attempted to conserve when possible, it is necessary to use fuel to provide for health, safety and transportation needs of Town residents, and

WHEREAS, the Town has estimated potential budget shortfalls in Highway Department fuel and asphalt budgetary accounts, and has determined it appropriate to correct these estimated deficiencies, and

WHEREAS, the Town's estimated revenues from sales taxes are currently above those estimated in the 2011 adopted budget and additional funds are also available in the Highway Fund, fund balance account,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the following amendment of the Town's 2011 budget in the Highway Fund to provide for the increased costs as follows:

Highway Fund:

Increase estimated revenues:

DA1120.000	Sales Tax	\$ 50,000.00
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Increase appropriated fund balance:

DA0599.000	Appropriated Fund Balance	\$50,000.00
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Increase appropriation accounts:

DA5110.416	Highway – Fuel, Oil	\$ 50,000.00
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DA5110.472	Highway – Stone, Gravel & Road Oil	\$ 50,000.00
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And be it further

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

Building Inspector

\$750.00	From: B.3620.0401 St. Fire Codes Exp.
	To: B.3620.0400 Office Supplies

Reason: To enable Building Inspector to purchase the RPS module for their permitting program thereby keeping the information up to date.

The resolution was unanimously adopted.

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

RESOLVED, that the Town Board does hereby accept, with regret, the resignation of James Lawicki from the Public Safety Committee.

The resolution was unanimously adopted.

Councilmember Ackerman – Councilmember Ackerman thanked Town Clerk Carol Hutton for donating storage space for the Historical Society and Symphony items. She also thanked John Spagnoli, Paul Drof, Brian Rahm and John Farmelo for their participation in the Hydrofracking forum. Councilmember Ackerman also noted the art work from the seniors from the Senior Center in the halls of the Municipal Center. Councilmember Ackerman stated that the Town Board is going back to two meetings a month in September and they will be held the 1st and 3rd Wednesday of the month. She also discussed the Library meeting held with the County Executive, and thanked Councilmember Majchrzak for attending the meeting.

Councilmember Kaczor – Councilmember Kaczor thanked Councilmember Ackerman for putting together the Hydrofracking forum. He wanted to remind everyone that this Friday is the “Ice Cream Social, and Saturday is the Street dance.

Councilmember Majchrzak stated that the meeting with the County Executive, Towns and the Libraries was a very productive meeting and that there was talk of setting up a special Library District within the County. They also looked at what cities and towns are currently paying for the maintenance (lawn care, mowing) and said that in 2012, the town or cities will have to pick up that cost, and in 2013, they will also have to pay the utilities as well.

Chief of Police Benz – Chief Benz stated that this Friday the Orchard Park Police Department is holding their Open House, and will be offering hot dogs in front of the Municipal Building. He stated that the Lions Club is holding their Car Show on Saturday, so North Buffalo Street will be closed.

23) 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 authorize the approval of all entries on Warrant #14 which were reviewed and approved.

General Fund	\$51,374.07
Part Town Fund	\$1,080.18
Risk Retention	0.00
Cemetery Fund	0.00
Highway Fund	\$213,542.17
Special Districts	\$3,694.40
Trust & Agency	0.00
Capital Fund	\$24,408.72

The resolution was unanimously adopted.

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

RESOLVED, that the Town Board does hereby receive and file the following:

Reports:

- Building Inspector's Monthly Report for the month of June, 2011
- Chief of Police's Monthly Report for the month of May, 2011

The resolution was unanimously adopted.

There being no further business, on motion by Councilmember Ackerman, seconded by Councilmember Majchrzak, the meeting was adjourned at 7:40 PM (local time).

Respectfully Submitted,



Carol R. Hutton
Town Clerk