

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 4th day of October 2006 at 7:00 P.M., (local time). The meeting was called to order by the Supervisor and there were:

PRESENT AT ROLL CALL:	Mary Travers Murphy	Supervisor
	Nancy W. Ackerman	Councilwoman
	Stanley A. Jemiolo, Jr.	Councilman
	David R. Kaczor	Councilman
	Mark C. Dietrick	Councilman
	Janis Colarusso	Town Clerk
	Leonard Berkowitz	Town Attorney
	Andrew Geist	Building Inspector
	Samuel McCune	Chief of Police
	Frederick Piasecki, Jr.	Highway Superintendent
	Wayne Bieler	Town Engineer

The Supervisor 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 DIETRICK, TO WIT:

RESOLVED, that the minutes of the Meeting of the Town Board held on September 6, 2006, and the Special Meeting Minutes held on September 6, 2006 and September 13, 2006, 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

Town of Orchard Park Erie County 2007-2008 Community Development Block Grant Funds

Supervisor Travers Murphy opened the public hearing and asked the Town Engineer, Wayne Bieler, to give a brief overview on the 2007-2008 Community Development Block Grant Funds.

Town Engineer Wayne Bieler stated the following: The Town of Orchard Park may be eligible to receive Community Development Block Grant (CDBG) Funds from the U.S. Department of Housing and Urban Development (HUD) for the 2007-2008 Program Year. The purpose of a public hearing is to provide an opportunity for citizens of the Town to discuss the needs of the community. He also stated, the Town of Orchard Park belongs to a consortium of 34 municipalities. This year the County anticipates that Federal funding for this program year will remain at current levels with approximately \$1,000,000 available for community projects. There will be a cap of \$90,000 per project with a maximum of three projects funded per municipality. This year the consortium will receive a grant of approximately \$ 3.25 million from HUD. The grant will be divided into four spending categories: 27% for Community Projects; 27% for Housing; 27% for Economic Development; and 19 % for Administration and Planning.

Mr. Bieler stated, to be eligible for CDBG funding, the proposed project must satisfy one or more of the following national objectives: Benefit Low and Moderate Income Persons, [41.9% of residents of the targeted area must be at or below the criteria of the income eligibility schedule]; Correct Slums and Blight; Meet an urgent community need.

He also stated it is estimated that the 2007 allotment for the Erie County CDBG Consortium Community's projects will be \$1,000,000. Funds will be granted on a competitive basis to those municipalities whose projects best meet the HUD goals described above. Applications for this year's Community Development Block Grant funds must be submitted by October 30, 2006.

Some suggested projects recommended for the Town of Orchard Park which may qualify for funding are:

- Oakwood Reconstruction
- Iroquois Drive Reconstruction
- Iroquois Drive Drainage
- Rural Transit Service Program
- Summit Avenue – Lake Avenue Drainage Project

Supervisor Travers Murphy asked if there was anyone in the audience that would like to speak on behalf of the 2007-2008 CDBG Funds. **No one spoke.**

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

RESOLVED, that the Public Hearing in the matter of the 2007-2008 Erie County Community Block Grant Funds for the Town of Orchard Park, is hereby closed at 7:05 PM.

The resolution was unanimously adopted.

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

WHEREAS, the Town of Orchard Park may be eligible to receive Community Development Block Grant (CDBG) Funds from the U.S. Department of Housing and Urban Development (HUD) for the 2007-2008 Program Year, and

WHEREAS, the Town of Orchard Park held a public hearing this evening to provide an opportunity for citizens to express community development and housing needs and to discuss possible projects which would benefit low and moderate income areas in the Town of Orchard Park.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize Supervisor Mary Travers Murphy to sign, submit and execute a contract with Erie County Community Development Block Grant Consortium requesting \$90,000.00 per each of the following projects:

1st Priority; Reconstruction of Oakwood Street, the Town of Orchard Park will contribute \$282,000 in cash and in-kind goods and services or 76% of the total project cost of \$372,000.

2nd Priority; Summit – Lake Avenue Drainage Project (\$205,000 Town contribution, 70% of \$295,000).

3rd Priority; Rural Transit Service (Participation with 12 Town & 7 Villages).

The resolution was unanimously adopted.

New Business #1 Schedule Public Hearing – 2007 Preliminary Budget/Benefit Basis Special District

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

RESOLVED, that the Town Board is hereby authorized to schedule a Public Hearing for Wednesday, October 18, 2006 @ 7:00 PM, at the Orchard Park Municipal Center, for the 2007 Preliminary Budget and the Benefit Basis Special District Budget.

The resolution was unanimously adopted.

New Business #2 Authorize Supervisor – Submit Application to NYSDEC-Forestry Program/Trees

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

RESOLVED, that the Town Board does hereby authorize the Supervisor to submit an application to New York State Department Environmental Conservation, Urban and Community Forestry Program, in an amount not to exceed \$7,265 for the planting of 111 trees, and be it further

RESOLVED, that the Town of Orchard Park will contribute \$22,081 in cash and in-kind goods and services or 75% of the total project cost of \$29,357.

The resolution was unanimously adopted.

New Business #3 Authorize NYSEG to Connect Light Fixtures for Chestnut Ridge Village

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

WHEREAS, the Town Engineering Department has received proposal from NYSEG for the connection of decorative street light fixtures on Breezewood Drive, Arrowood Lane, Silverbell Circle, and Basswood Lane in the Chestnut Ridge Village Subdivision, Part 6 & 7, Phase 1. At present, there are twelve (12) single family homes either occupied or under construction of the 69 sublots, and

WHEREAS, the 70-watt H.P.S. luminaires, which are owned by the Town, are placed on top of posts with the installation of decorative street lights under PIP #2005-01. NYSEG will only supply electric, maintain the bulbs, and the electric eye of the luminaires. The proposal is for a total of twenty-two (22) luminaires to be connected at an annual charge of \$24.19 each, totaling annually \$532.18.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize NYSEG to connect a total of twenty-two (22) 70-watt high-pressure sodium decorative light fixtures on Breezewood Drive, Arrowood Lane, Silverbell Circle, and Basswood Lane in the Chestnut Ridge Village Subdivision, Part 6 & 7, Phase 1, at an annual increased cost of \$532.18 to the Consolidated Light District in accordance with the attached NYSEG proposal dated September 20, 2006.

The resolution was unanimously adopted.

New Business #4 Approve Change Order #1 to the Contract w/Parise Mechanical Inc.

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

WHEREAS, the Engineering Department needs approval from the Town Board for the Time and Material Change Order to the contract with Parise Mechanical, Inc., for the New Pavilion at Milestrip Road Recreation Complex in the amount not to exceed \$4,750.00. This would increase the total contract amount to \$17,739.00, representing maximum increase of 26.8%, and

WHEREAS, the Change Order requested is for additional work not covered under their contract. These modifications include: Relocating the kitchen exhaust hood from the front to the rear of the building, and Extending the duct work from the kitchen to the relocated exhaust hood.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby approve Time and Material Change Order #1 to the Contract with Parise Mechanical, Inc., for the New Pavilion at Milestrip Road Recreation Complex in the amount of an increase not to exceed \$4,750.00.

The resolution was unanimously adopted.

New Business #5 Approve Change Order #3 to the Contract w/Wilsandra Construction Company

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

WHEREAS, the Engineering Department needs approval from the Town Board for the Johnson-Jolls Exterior Renovations Project in the amount not to exceed \$1,739.00. This would increase the total contract amount to \$205,680.50, representing an increase of 0.88%, and

WHEREAS, the Change Order requested is to add additional work under their contract for Johnson-Jolls Exterior Renovations Project. During the course of construction, additional downspout work was deemed necessary, which would lower the elevation of standing water in the gutters and prevent overflowing and possible ice buildup in the winter. This exterior work includes:

- Add downspout on front porch NW corner with pipe on north side of post.
- Extend NW corner downspout from main roof to ground and add splash block.
- Add short downspout on back SE addition at SE corner with outlet onto porch roof.
- Add downspout on back SE addition middle of the north wall by chimney (alleyway inside of corner of chimney).
- Add downspout on NE corner of main roof on east side to flat roof.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby approve Change Order #3 to the original Contract with Wilsandra Construction Co. Inc., for the Johnson-Jolls Complex Exterior Renovations Project in the amount of \$1,739.00.

The resolution was unanimously adopted.

New Business #6 Appointments to the Orchard Park Police Department

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

WHEREAS, at the September 25, 2006 Special Meeting of the Town Board, the Town Board appointed Detective Lieutenant Andrew Benz to the position of Assistant Chief of Police to the Town of Orchard Park Police Department, as recommended by the Chief of Police. The appointment is retroactive to September 25, 2006. Salary is per 41 d/e of the non-union wage schedule. Probationary period as per New York State Civil Service Law

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Orchard Park does hereby approve the appointment of Officer Mark Pacholec to the position of Patrol Lieutenant with the probationary period as per New York State Civil Service Law, effective October 9, 2006, as recommended by the Chief of Police, Samuel McCune. Salary stipulated as per bargaining unit agreement.

Councilman Jemiolo introduced Assistant Chief Benz and his wife, Rochelle to the audience. He also introduced Patrol Lieutenant Pacholec and his family, his wife, Bridget, and four sons, Ian, Brien, Liam and Aidan.

The resolution was unanimously adopted.

New Business #7 Building Inspector request to waive all fees for Bldg. Permits for OP Fire District

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

WHEREAS, the Orchard Park Fire District has historically been intermittent regarding obtaining permits for various projects through the years, and

WHEREAS, the Building Inspector has informed the district that they are not exempt from obtaining permits and in the future all projects must have them, and

WHEREAS, the Fire District has requested the Building Inspector to waive all fees attached to the permits and he has brought it to the attention of the Town Board

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby waive all fees attached to building permit received by the Orchard Park Fire District from the Orchard Park Building Department, as requested by Building Inspector Geist.

The resolution was unanimously adopted.

New Business #8 Public Safety Comm. Request/Traffic Study at Armor Duells Road @ Duerr Road

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

WHEREAS, at the September 19, 2006 meeting of the Public Safety Committee, a letter from Mr. Stanley Sacha, 5710 Armor Duells Road, requesting to place a traffic signal at Armor Duells Road @ Duerr Road was received, and

WHEREAS, the Public Safety Committee believes the traffic volume at this intersection does not warrant a traffic signal, and feels the Town Board should send a letter to Erie County Department of Transportation requesting they conduct a traffic study for the requested signal, as Armor Duells is a County Road.

NOW, THEREFORE, be

RESOLVED, that the Town Board does hereby authorize the Supervisor to send a letter to Erie County Department of Transportation requesting the department conduct a traffic study for a signal on Armor Duells Road @ Duerr Road, as requested by the Orchard Park Public Safety Committee.

The resolution was unanimously adopted.

New Business #9 Approval of 2006 – 2007 Commercial Parking Permits

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

RESOLVED, that the Town Board does hereby approve the following 2006-2007 Commercial Parking Permits, as recommended by the Building Inspector & Chief of Police:

Diane Augustine, 3968 Southwestern Boulevard
Giancarlo & Roberta Bruni, 5100 Big Tree Road
Augustine Carducci, 3923 Southwestern Boulevard
Danny's South, 4300 Abbott Road
Joe DeMarco, 3964 California Road
Sean Hanley, 3944 California Road
Sue & Patrick Kane, 3952 Southwestern Boulevard
Victor Liberatore, 3807 Southwestern Boulevard
Lisa Matwijow, 4155 & 4170 Abbott Road
Deborah McDonell, 3904 Abbott Road
Niagara Frontier Recovery, 3958 Southwestern Blvd.
Dennis Przybl, 3976 Southwestern Boulevard
Savannah's South, 3847 Southwestern Boulevard
Michael Simoncelli, 3848 California Road
Patrick Sullivan, Sr., 3819 Abbott Road
Michael & Karen Todd, 3752 Abbott Road
Twin Oak Motel, 3949 Southwestern Boulevard
Henry Whytas, Jr., 5528 Webster Road
Daniel DeMarco, 4270 Abbott Road
Mark Leitzan, 3808, 3816 Abbott Rd & 3930 Sheldon Road
Maxine Reilly & Janet Lowman, 5229 W. Webster Road

Rudolf Benes, 3742 Southwestern Boulevard
Sally Jane Brown, 5222 W. Webster Road
Thomas Carrow, 4243 Abbott Road
Scott & Linda Smith, 3879 Southwestern Boulevard
Kenneth E. Doeing, 3920 Southwestern Boulevard
Thomas & Paul Kam, 3775 Southwestern Boulevard
Ray & Sue Kowalski, 3972 Southwestern Boulevard
Red Carpet Inn, 3940 Southwestern Boulevard
Michele & Robert McDaniel, 4309 Abbott Road
Milligan's Restaurant, 3864 & 3892 Abbott Road
On the Go Convenience, 3975 Southwestern Blvd.
Quaker Boy, Inc., 5455 Webster Road
Richard Schosek, 3878 Southwestern Boulevard
Stadium Mobil, 3856 Southwestern Boulevard
David Tempestoso, 3912 Southwestern Boulevard
Stephen Tripodi, 3800 Southwestern Boulevard
Lee Wannemacher, 3746 Abbott Road
Ronald & Paul Yoviene, 3763 Abbott Road

The resolution was unanimously adopted.

New Business #10 Planning Coordinator Request Continuation of a Part-time Employee

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

RESOLVED, that the Town Board does hereby approve the request from Remy Orffeo, Planning Coordinator, the continuation of the part-time employee, Amy Glende, in the Planning Office, one-(1) day per week for six-(6) week @ a rate of pay of \$8.00 per hour.

The resolution was unanimously adopted.

ELECTED OFFICIALS & DEPARTMENT HEADS

Councilwoman Ackerman Councilwoman Ackerman reported on the meeting of the Tree Conservancy Meeting held at George Schichtel's office. In attendance was Legislator John Mills, a member of the Erie County Environmental Committee. An item discussed was logging and how they might suggest ways to keep the profits within the parks. Councilwoman Ackerman attended a luncheon where 1st Lady Laura Bush addressed the initiative of the Federal government for children to make good choices with some upcoming national meetings. Councilwoman Ackerman thanked the teachers and parents for all their work, past and present.

New Business #11 Fall/Winter 2006- 2007 Staff Appointments for the Recreation Department

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

RESOLVED, that the Town Board does hereby authorize the following Fall/Winter 2006-2007 Staff Appointment(s) to the Town of Orchard Park Recreation Department, dependent upon the applicant providing the required certifications, as recommended by the Recreation Director:

<u>Name</u>	<u>Address</u>	<u>Position</u>
Amanda Gehring	51 Lakewood Drive	PT2-B
Claire Lewandowski	6150 W. Quaker Road	PT2-B
Rachel Turner	1091 Orchard Park Road	PT2-B
Stephanie Karst	88 Blaine Avenue, Buffalo	PT2-B
Whitney Card	88 Blaine Avenue, Buffalo	PT2-B
Erie Ardenski	49 Boardman Road, West Seneca	PT2-B

The resolution was unanimously adopted.

Councilman Kaczor received written recommendations from the Orchard Park Historical Preservation Committee and the Orchard Park Chamber of Commerce for the Draft Comprehensive Plan, which he gave to the Town Clerk.

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

RESOLVED, that the Town Board does hereby authorize the Supervisor to send a letter to the Erie County Department of Transportation, Division of Highways, to review speed signs and their proper

placement on Michael Road, between Union Road and Southwestern Boulevard, as requested by Sharon Schiffauer, 6587 Michael Road.

The resolution was unanimously adopted.

Councilman Kaczor stated that the Jolls House restoration is moving along, as well as the Milestrip Sports Complex. He also reported on the *Panera Breads* opening on Thursday, October 5, 2006 in the new plaza on North Buffalo Road.

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

RESOLVED, that the Town Board does hereby receive and file the findings of Dr. Joseph Gardella, from the University of Buffalo, pertaining to the Barrington Heights cleanup report.

Councilman Dietrick stated that Building Inspector, Andy Geist, submitted changes in operating procedures, which the Town Board approved. These changes should help to protect the community from any future problems in the Barrington Heights Subdivision.

The resolution was unanimously adopted.

Councilman Dietrick read a letter from Congressman Brian Higgins complimenting and supporting Orchard Park's growth and business.

Police Chief, Sam McCune, thanked the Town Board Members for the two-(2) appointments that were approved tonight for the Town of Orchard Park Police Department.

Highway Superintendent, Fred Piasecki, submitted his 3rd quarter fuel report for the Orchard Park Highway Department. He also stated leaf pick up has begun in the Town of Orchard Park.

17) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR TRAVERS MURPHY, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN ACKERMAN, TO WIT:

WHEREAS, there is an opportunity to obtain aid to make improvements to the Chestnut Ridge Village Park, which is the same grant program that was used to complete the Birdsong Trail System, and

WHEREAS, the proposed work will follow Town standards similar to work completed for the Birdsong Park Nature Trails project, and recently installed trails in Chestnut Ridge Village Part 6 and consists of reconstruction of a total of 6,850 linear feet of dirt/chips trails. The scope of work will include 6,375 feet of crushed stone trail, 400 feet of boardwalk, a 12 foot observation deck, benches, trash cans and 240 feet of split rail fence along property lines, and

WHEREAS, the preliminary project is estimated to cost \$160,000 +/- depending on approval of plans by the permitting agencies, and

WHEREAS, the 20% match will require the Town to commit \$60,000.00 in-cash with additional contributions being provided through permitted in-kind services, "project management and inspection" by Town forces, and

WHEREAS, in support of the grant application, it will be necessary to pass a resolution authorizing application and committing funds totaling the required 20% of the proposed preliminary project cost of \$160,000.00

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby authorize the Supervisor to sign an application to the NYS Office of Parks, Recreation and Historic Preservation for \$180,000.00 grant for Chestnut Ridge Village Park Trail Reconstruction, and be it further

RESOLVED, the Town Board is hereby authorized to approve Capital Project "Chestnut Ridge Village Park Trail Reconstruction" and allocate matching funding of \$60,000.00, required 20% cash, in addition to the in-kind services, as recommended by the Town Engineer.

The resolution was unanimously adopted.

COUNTY & STATE OFFICIALS

Legislator Mills stated that the Erie County is working on funding for the Libraries. He stated on October 6, 2006 he will be meeting with County Officials to review to County Highways, as well as other items on the agenda for the Towns of Colden, Aurora and Orchard Park. He stated that he would send a progress report to the Town Board and Highway Superintendent. Mr. Mills stated that the County Executive budget would be available on October 13, 2006 with budget hearing to follow.

18) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR TRAVERS MURPHY, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN JEMIOLO, TO WIT:

RESOLVED, that the Town Board does hereby authorize the approval of all entries on Warrant #19 following auditing by members of the Town Board and in the funds indicated:

General Fund	\$49,140.13
Part Town Fund	271.68
Risk Retention	1,000.00
Cemetery Fund	0.00
Highway Fund	94,717.42
Special Districts	44,758.08
Trust & Agency	2,906.34
Capital Fund	16,551.54

The resolution was unanimously adopted.

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

RESOLVED, that the Town Board is hereby authorized to receive & file the Town of Orchard Park Highway Department's Fuel Analysis Report for the 3rd quarter, as requested by Fred Piasecki, Highway Superintendent.

The resolution was unanimously adopted.

BUSINESS FROM THE FLOOR

Ron Stadelmaier, 73 Eaglebrook Drive: Mr. Stadelmaier submitted a 25 page document of additional goals and recommendations on behalf of the Supervisor's Advisory Group for the Draft Comprehensive Plan. Each of the suggested goals and their associated recommendations were categorized based upon one of 7 "cares": Community Aesthetics; Environmental; Infrastructure; Land Use; Professional Services; Economics; and Citizenry. He also wished to remind the Town Board of the staunch opposition to the CVS rezoning proposal. Mr. Stadelmaier thanked Building Inspector Geist for the clean up of the *ABC Rental* property. He brought up the matter of school security and the response from the School Administration for additional monitor staff and hardware including cameras and remote door devices.

Councilman Dietrick stated that in the work session the school security and the nature trails and bicycle paths were discussed with the Police Chief McCune.

Chuck Ulbrecht, 4869 Bussendorfer Road: Mr. Ulbrecht submitted 14 suggestions for the future in regard environment and the flooding problems caused by new developments for the Draft Comprehensive Plan.

Tom Casey, 12 Harvard Place: Mr. Casey stated that he submitted a requested in January to the Ethics Board for facts regarding Quaker Crossing South SEQR process. The Ethics Board got back to him in August, but did not provide him any facts, so did his own research. He feels that the short form SEQR was inaccurate and there were potential adverse impacts. He stated that the Town Planning Board's recommendations were ignored. Mr. Casey disagreed with the Ethics Board's findings.

Nicholas Taneff, 279 Summit Avenue: Mr. Taneff thanked the Building Inspector Geist and his department and the Town Board for the clean up effort in the Town.

Anthony Lorenzetti, 24 Boldt Court: Mr. Lorenzetti asked if something could be done about the dangerous bridge on Lake Avenue adjacent to Boldt Court. Town Engineer Bieler stated that Lake Avenue is a county bridge and it is being assessed. He submitted a written statement opposed to the CVS Pharmacy.

Sue Cushman, 27 Hawthorne Drive: Mrs. Cushman wanted to address Mr. Frantsits's flooding problem. She called Lynn Marinelli, Chair of the Erie County Legislature, whose office put her in contact with the Superintendent of Roads. Ms. Cushman stated that she was delighted that Mr. Frantsits's concern was on Legislator Mills' County's list to be revisited. She did want to relate to the Town Board that she was told that the County would look into this situation, but if it is a result of building in Orchard Park and an environmental impact due to the building, then it would revert back to the Town. She hoped that the seniors in Orchard Park would be treated with respect when appearing before the Town Board.

Legislator Mills stated that Ms. Cushman was not talking to the right person concerning this problem.

Christine Weyer, 65 Tanglewood Drive: Ms. Weyer would like to see partisan politics put aside and the Town Board to work together for the good of all the citizens of Orchard Park.

Robert Frantsits, California Road: Mr. Frantsits reviewed his problems he has had with the water in his basement. He also thanked Supervisor Travers Murphy for all her work.

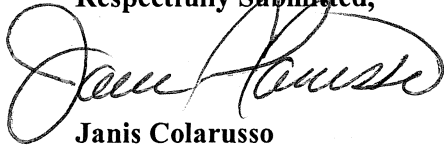
Councilman Jemiolo stated that there has never been any information withheld from the public on the amount of money spent on the lawsuit concerning the billboards. He also apologized for the temperament of recent Town Board meetings. There will always be disagreements and they should be courteous on both sides of the issue.

Councilman Dietrick stated that he would review and work on a policy for dismissal of personnel.

Elaine Rothfus, 6713 Michael Road: Ms. Rothfus stated she is against the CVS proposed rezoning. She questioned the car counter on Michael Road and if it had anything to do with the rezoning.

There being no further business from the floor, on motion by Councilman Jemiolo, and seconded by Councilman Dietrick, to wit; the meeting was adjourned at 8:27 PM (local time).

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Janis Colarusso", written in a cursive style.

Janis Colarusso
Town Clerk

