

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 5th day of November 2008 at 7:00 PM. The meeting was called to order by the Supervisor and there were:

PRESENT AT ROLL CALL: Mary Travers Murphy	Supervisor
Nancy Ackerman	Councilwoman
David Kaczor	Councilman
Mark Dietrick	Councilman
Edward Graber	Councilman
Janis Colarusso	Town Clerk
Leonard Berkowitz	Town Attorney
Andrew Geist	Building Inspector
Andrew Benz	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 October 15, 2008 and the Special Meeting Minutes for October 22, 2008, 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 7:05 PM (local time), the Supervisor called for the Public Hearing to hear all interested parties regarding the 2009 Ad Valorem and the Benefit Basis Special Districts Preliminary Budget of the Town of Orchard Park for the Year beginning January 1, 2009.

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

Supervisor Travers Murphy stated that this proposed budget is the Supervisor's preliminary budget for spending and revenue estimates for Orchard Park Government in 2009. The Town Board has until November 20th, 2008 to adopt a budget.

At this time, Supervisor Travers Murphy introduced Mr. Wayne Drescher of Drescher & Malecki, the Town of Orchard Park's Accounting Firm, who assisted in the preparations of the budget.

Supervisor Travers Murphy asked if there was anyone in the audience that would like to speak for or against the proposed budget for the Year 2009: **No one spoke.**

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

RESOLVED, that the Public Hearing in the matter of the 2009 Ad Valorem and the Benefit Basis Special Districts Preliminary Budget of the Town of Orchard Park for the Year beginning January 1, 2009, is hereby closed at 7:10 PM (local time).

The resolution was unanimously adopted.

PUBLIC HEARING

At 7:10 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 2008, as follows: Proposed Amendments to Town Code of Ordinance regarding Alternate Members of the Conservation Board.

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.

Supervisor Travers Murphy asked if anyone in the audience who would like to speak for or against the Local Law: **No one spoke.**

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

RESOLVED, that the Public Hearing in the matter of the Proposed Amendments to Town Code of Ordinance regarding Alternate Members of the Conservation Board, is hereby closed at 7:12 PM (local time).

The resolution was unanimously adopted.

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

RESOLVED, that the Town Board does hereby adopt Local Law #7 for the Year 2008: Proposed Amendments to Town Code of Ordinance regarding Alternate Members of the Conservation Board, which reads as follows:

Chapter 2 ALTERNATE BOARD MEMBERS

§2-1 Applicability

This chapter shall apply to the appointment, terms, functions and powers of alternate members appointed to serve on the Planning Board, Zoning Board of Appeals and Conservation Board in the Town of Orchard Park.

§2-2 Planning Board, Zoning Board and Conservation Board alternate members

C. In the event that a Conservation Board member is absent for any reason, an alternate member is hereby authorized to take the place of an absent Conservation Board member. In order for the alternate member to qualify to take the place of an absent Conservation Board member, that alternate member must have been appointed at least one year prior to the date he first acts as a voting member.

§2-3 Definitions

MEMBER – An individual appointed by the Town Board to serve on the Town Planning Board, Zoning Board of Appeals, or the Conservation Board, pursuant to the provisions of the Local Law or ordinance which first established such Planning Board, Zoning Board of Appeals and Conservation Board.

CONSERVATION BOARD – The Conservation Board of the Town of Orchard Park as established by the Town Board, pursuant to the provisions of 239(x) and 239(y) of the General Municipal Law.

§2-4 Authorization; purpose; appointment; designation; duties and responsibilities

- A. The Town Board of the Town of Orchard Park hereby enacts this chapter to provide a process for for appointing alternate members of the Planning Board, Zoning Board of Appeals an Conservation Board. These individuals would serve when members are absent or unable to participate on an application or matter before the respective board.
- B. Alternate members of the Zoning Board of Appeals shall be appointed by the Town Board for terms of three years, with the terms to expire on December 31 of the third year after the date of appointment. Alternate members of the Planning Board shall be appointed by the Town Board for terms of one year, with the terms to expire on December 31 of each year. Alternate members of the Conservation Board shall be appointed by the Town Board for terms of one year, with the terms to expire on December 31 of each year.
- C. The chairperson of the Planning Board, Zoning Board of Appeals or Conservation Board may designate an alternate to substitute for a member when such member is unable to participate on an application or matter before the Board. When so designated, the alternate member shall possess all the powers and responsibilities of such member of the Board. Such designation shall be entered into the minutes of the initial Planning Board meeting. Zoning Board of Appeals or Conservation Board meeting, at which the substitution is made.
- D. All provisions of state law relating to the Planning Board, Zoning Board of Appeals or Conservation Board member eligibility, vacancy in office, removal, compatibility of office and service on other boards, as well as any provisions of a local law/local ordinance relating to training, continuing education, compensation and attendance, shall also apply to alternate members.

§2-5 Supersession of Town Law

- C. Section 239(X) and 239(y) of the General Municipal Law relating to the appointment of members to the Town Conservation Board.

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

Supervisor Travers Murphy	Aye
Councilwoman Ackerman	Aye
Councilman Kaczor	Aye
Councilman Dietrick	Aye
Councilman Graber	Aye

Councilwoman Ackerman stated that the purpose of appointing an alternate is to alleviate conflicts of interest that would violate the Ethics Law in regard to voting, due to Conservation Board members relationships with individuals appearing before the Conservation Board. This appointment would facilitate the business of the community in allowing the alternate member to vote when this might occur.

The resolution was unanimously adopted.

Old Business #1 Quaker Crossing East Out Parcel Request for Special Exception Use

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

RESOLVED, that the Town Board does hereby approve a Special Exception Use for a 6,100-6,500 sq. ft. restaurant in the Quaker Crossing East out-parcel, located near the entranceway along Amelia Drive, Zoned B-1. The Planning Board recommended the Town Board approve the Special Exception Use Permit for the restaurant based on the submitted letter of intent received on 9/9/08, with conditions and stipulations as follows:

- This an Unlisted SEQR action based on the submitted Short EAF, Parts One and Two and a Negative Declaration is declared.
- Fees shall be paid in accordance with §144-70C, of the Town Code prior to publication of the Public Hearing Notice.
- The recommendation is contingent upon the applicant completing the project as proposed in the letter of intent received on 9/9/08 and shall revert to its original Zoning Classification if the project is not completed per §144-67 of the Town Code.
- The applicant has demonstrated a need for the project.
- The project is compatible with adjoining land uses and proposed developments and will not have a negative impact on the adjacent land value or public safety.

Supervisor Travers Murphy	Nay
Councilwoman Ackerman	Aye
Councilman Kaczor	Aye
Councilman Dietrick	Aye
Councilman Graber	Aye

The resolution was duly adopted.

New Business #1 Resolution to ask County Executive to Restore Funding (Tabled): Town Board to pass resolution requesting the County Executive and the Erie County Legislatures to restore funding to the Cooperative Extension, 4H and Erie County Soil & Water Conservation District.

New Business #2 Appointments to the 2008/2009 “Seasonal” Staff to the OP Recreation Department

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

RESOLVED, that the Town Board does hereby authorize the following appointments to the Fall/Winter Staff of the Orchard Park Recreations Department, dependent upon the applicant providing the required certifications, as recommended by the Recreation Director.

Name	Address	Position	Rate
Anthony Christy	6700-1 Gowanda State Road	PT1-C (LG)	\$8.00
Nicole Augustine	2960 Bullis Road	PT1-C (LG)	\$8.00
Lauren Kaczor	23 Silent Meadow Lane	PT1-C (Att)	\$8.00
Gretta Hanson	36 Suburban Court	PT2-B (Att)	\$9.50
Vincent Nicosia	2755 Southwestern Blvd.	PT1-C (Att)	\$8.00

Supervisor Travers Murphy	Aye
Councilwoman Ackerman	Aye
Councilman Kaczor	Rescued
Councilman Dietrick	Aye
Councilman Graber	Aye

The resolution was duly adopted.

New Business #3 Approve the 2008 Commercial Parking Permit for Webster Road

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

RESOLVED, that the Town Board does hereby approve the 2008 Commercial Parking Permit for Christopher Drewiega, vacant lot on Webster Road near Abbott Road, as recommended by the Building Inspector.

The resolution was unanimously adopted.

New Business # 4 Approve Final Change Order of Release of Retention w/EJ Militello Concrete

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

WHEREAS, the construction work on the Concrete Gutter and Driveway Aprons Installation for Oakwood Avenue, Velore Avenue, Vistula Avenue, Hillside Avenue and Lakeview Avenue Project has been completed, and all work has been satisfactorily completed in accordance with specifications, and

WHEREAS, a two year maintenance bond in the amount of \$32,626.13 has been submitted along with the Affidavit of Release of Liens, Affidavit of Payment of Debts and Claims and necessary legal documents, and

WHEREAS, the final change order and associated Over/Under sheet lists the final adjustments to the quantities for each bid item and shows there was a net decrease of \$6,098.87, representing a decrease of 15.7% from the Bid Contract amount

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby approve Final Change Order Release of Retention to the Contract with E.J. Militello Concrete, Inc., P.O. Box 770, East Amherst, NY 14051 for 2008 Concrete Gutter and Aprons Installation for Oakwood Avenue, Velore Avenue, Vistula Avenue, Hillside Avenue and Lakeview Avenue in the amount of \$1,631.31, and authorize the Town Clerk to release the performance security in the amount of \$38,725.00, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #5 Approve Change Order for the OP Library Energy Upgrade Project w/Parise

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

WHEREAS, the Engineering Department is requesting approval of a Change Order to the contract with Parise Mechanical, Inc. for the Library Energy Upgrades Project in the amount of \$3,900.00. This would increase the total contract amount to \$102,980.00 representing an increase of 3.94%, and

WHEREAS, this Change Order is requested to perform additional work not covered under their contract. The additional work involves installing two (2) temporary furnaces in Phase 1 & 3 at the removed window locations. The temporary heat will replace the temporary boiler system which was bid as an alternate, but came in well above budget and could not be afforded. The temporary heat is needed to make Library users comfortable during the three day asbestos abatement in early November and protect the Library Building from freezing during the two week shutdown period in mid-December for boiler replacement.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby approve Change Order #1 to the Contract with Parise Mechanical, Inc., for the Orchard Park Library Energy Upgrade Project in the amount of an increase of \$3,900.00, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #6 Approve Change Order #1 for Highway, Compost, Yates Park & Dog Pound (Tabled) Approve Change Order #1 to the Contract with CIR Electrical Construction Corporation for the Highway Garage, Compost Pole Buildings, Yates Park Bathhouse & Splash Pad, and the Dog Pound Project.

New Business #7 Supervisor to sign the Agreement for Asbestos Removal for the Library Project

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

WHEREAS, during the course of the engineering and design of the Orchard Park Library Energy Upgrades Project by Wendel Duchscherer, Watts Architecture and Engineering was hired to perform asbestos testing on the building, and

WHEREAS, asbestos was found in the boiler breeching, mud fitting insulation and window glazing compound at the Library, which are planned to be removed during the upcoming project. Project monitoring services per state regulations will be required during the removal of the asbestos and could not be included with the contractors bid scope, and

WHEREAS, the Town has received a proposal from AFI Environmental (\$850.00) to perform monitoring services by a New York State Department of Labor Certified Project Monitor in an amount not to exceed \$1,250.00.

Bid Results:	AFI Environmental	\$850.00
	Sienna Environmental	\$912.00
	Watts Engineering	\$1,426.48

WHEREAS, the Town has appropriated funding for the Orchard Park Library Renovation work under Capital Project H-81, which should be adequate to cover the costs of the consultant.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the Supervisor to sign an Agreement with AFI Environmental PO Box 4040, Niagara Falls, New York 14204, in the amount not to exceed \$1,250.00 for Asbestos removal inspection for the Library Energy Upgrades Project, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #8, 9 & 10 Refer to the Planning Board and/or Conservation Board

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

RESOLVED, that the Town Board does hereby refer the following items listed on the agenda to the Planning Board and/or Conservation Board:

- Robin Young, representing the Orchard Park Central Schools Federal Credit Union, 4000 North Buffalo Road, Zoned B-1. Requesting modification of the North West corner of building to accommodate a drive-thru ATM and teller window on the existing site.
- Brandon Block, 3285 Abbott Road, property located on the East side of Abbott Road, North of Windom Avenue, Zoned B-2. Applicant is seeking approval to rebuild a residence damaged by fire.
- **Not on Agenda** – Louis J. Alberalla, 34 Carey Drive, requesting a change in use from Retail/Coffee Cafe' to a Restaurant at 4109 North Buffalo Road.

The resolution was unanimously adopted.

Business from the Floor

This evening the subject of the Erie Cattaraugus Rail Trail Organization "**Rails to Trails**", which plans to convert the unused and soon to be vacated 27.6 mile section of the Buffalo & Pittsburgh Railroad line to a multi-use recreational trail, was the main focus.

This would start in Orchard Park in Erie County and end in Ashford in Cattaraugus County, connecting five communities. The following people spoke in **favor** for the project (*health and wellbeing of the community; surveys of residents strongly in support of multi-use trail system; asset to the town; corridor would be maintained; safety for walkers, joggers, runners and bicyclists; property advocates; enhanced programs; recreation programs; create economic opportunities; visitors from other communities; useable for all ages; linking to other towns; retain corridor for our generation and future generations; aesthetic improvement; no recorded problems in birdsong park; trails are countywide*).

Audrey Ramage, Recreation Commission Chair and Trails Task Force Member; Anne Bergantz, Trails Task Force Chair and Conservation Board member; Mark Romanowski; Ed Rider, Trails Task Force Member; Peter Swartout; Dr. David Ellis; Roland Pigeon (statement submitted); Paul Kramer (petitions submitted); Debra Fenn; Jim Craw; Earl Aragona; Dwight Mateer; Doug Miller; Doug McFarland; Chris Willet; Jane Bartlett; Howie Holmes; Ed Flynn (statement submitted); Marty Schwab; Tom Grogan; Rick LeFeber; Susan Conklin.

The following people spoke in **opposition** for the project (snowmobile disturbance; community not in full support; crimes on trails; lack of privacy; policing the area; residents' protection; payment for maintenance; home value; other towns have not passed resolutions in favor: Patrick Keem (statement submitted); Carolyn Coppola; Jacqueline Albert; Ron Wessel; Greg Tomani.

Chris Willet – She thanked the Town Board for insuring that the sidewalks would remain passable during the winter. He asked the Town Board to continue to pressure Mr. Gerald Buchheit to allow NFTA busses into Quaker Crossing.

Sal Cerrone – He referred to a flyer that was degretory towards Supervisor Travers Murphy and asked the Town Board to check into the situation.

Elected Officials & Department Heads

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

RESOLVED, that the Town Board does hereby authorize the following budget transfers for the Engineering Department:

\$ 1,150.00	From: A.1440.200	Engineering Equipment
	To: A.1440.475	Gasoline

RESOLVED, that the Town Board does hereby authorize the following budget transfers for the Compost Site:

\$ 4,300.00	From: 800.161.0443	Equip. Maintenance
	To: 800.8161.0149	P/T Personnel

RESOLVED, that the Town Board does hereby authorize the following budget transfers for the Dog Control:

\$ 800.00	From: A.3510.0446	Animal Hosp. Care
	From: A.3510.0448	Building Maintenance
	To: A.3510.0475	Gasoline

\$ 600.00	From: A.3510.0445	Maintenance of Vehicle
	From: A.3510.0420	Nuisance Animal
	To: A.3510.0422	Natural Gas

The resolution was unanimously adopted.

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

WHEREAS, the Orchard Park Town Board has received a proposal from Wal-Mart Stores, Inc., requesting site plan approval for a 134,088+/- sq. ft. shopping center located on the south side of Milestrip Road in the Town of Orchard Park, and

WHEREAS, the Town of Orchard Park Town Board as Lead Agency is responsible for determining the significance of potential environmental impacts of said development project consistent with regulatory intent of 6 NYCRR Part 617, State Environmental Quality Review (SEQR) of Environmental Conservation Law, et al, and

WHEREAS, Wal-Mart Wal-Mart Stores, Inc., through their legal representative Harter, Secrest & Emery LLP, has agreed to reimburse the Town of Orchard Park for the cost of professional services rendered for the SEQR evaluation of the development project, and

WHEREAS, at the direction of the Orchard Park Town Board, the Town Planning Coordinator has reviewed professional submissions for Request For Qualifications (RFQ) and recommends TVGA Consultants, and

WHEREAS, the developer, Wal-Mart Stores, Inc., shall deposit with the Town \$25,000 for expenses to be incurred and the balance of any funds not utilized, shall be refunded to Wal-Mart

NOW, THEREFORE, be it

RESOLVED, that the Orchard Park Town Board does hereby authorize and direct the Town Planning Coordinator to sign an agreement with TVGA Consultants to provide professional services as the Town's professional representative relative to the SEQR evaluation of the proposed Wal-Mart shopping center.

The resolution was unanimously adopted.

Councilman Kaczor stated that a meeting will be held by The Friends of Historic Preservation of Orchard Park and the Historic Preservation Board on Tuesday, November 18, 2008 at 7:00 PM at the Quaker Meeting House. The guest speaker will be Julian Adams from the New York State Department of Parks, Recreation and Historic Preservation. The public is invited to attend.

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

WHEREAS, the Engineering Department has received correspondence requesting Out-of-District Water Service approval from Therese Muscato for 7055 Ward Road. The house is located outside the boundaries of Orchard Park Water District #17 in the Town of Boston, and

WHEREAS, the Town has received the completed Out-of-District Residential Water Service Agreement from Therese Muscato to obtain water from the Town of Orchard Park, and

WHEREAS, the Town Board of the Town of Boston is expected to approve this request at their meeting of November 5, 2008

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby approve the Out-of-District Water Agreement between Orchard Park Water District #17 and Therese Muscato, 7055 Ward Road, Boston, NY 14025 pending approval from the Town of Boston, as recommended by the Town Engineer.

The resolution was unanimously adopted.

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

WHEREAS, the Engineering Department is requesting approval of a Change Order to the contract with Greater Niagara Mechanical, Inc. for the 2007 Building Improvements Project in the amount of \$550.00. If approved, this would increase the total contract amount to \$82,350.00, representing an increase of 0.67%, and

WHEREAS, this Change Order is requested to perform additional work not covered under their contract. The additional work involves the installation of an additional 16' of hot water heat fin enclosures in the Locker Room of the Highway Garage Addition. This area was originally designed to be uncovered with lockers placed in front of the heat fins. The new Orchard Park Engineering Department design allows for more heat fin exposure and room for five more additional lockers in the room. This work will result in additional time and material costs in the amount not to exceed \$550.00.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby approve Change Order #1 to the contract with Greater Niagara Mechanical, Inc. for the 2007 Building Improvements Project, Highway Building Addition, Compost Equipment Pole Buildings, Yates Park Bath House & Splash Pad and Dog Control Addition in the amount of an increase of \$550.00, as recommended by the Town Engineer.

The resolution was unanimously adopted.

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

RESOLVED, that the Town Board does hereby authorize the approval of all entries on Warrant #21 following auditing by members of the Town Board and in the funds indicated: with the exception of the \$1,750.00 payment to Stevens Remodeling for the Jolls House Chimney repair.

General Fund	\$90,928.80
Part Town Fund	\$594.17
Risk Retention	\$408.35
Cemetery Fund	\$0.00
Highway Fund	\$20,842.46
Special Districts	\$105,682.36
Trust & Agency	\$17,457.18
Capital Fund	\$295,413.18

The resolution was unanimously adopted.

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

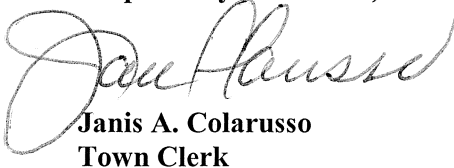
RESOLVED, that the Town Board does hereby receive and file the following *communications* listed on the agenda:

- **Town of Newstead:** Resolution in support of the restoration of funding for the Erie County Soil & Water Conservation District and Cooperative Extension through County sources.
- **Erie County Executive:** Public Hearing Notice for the thirty-(30) day period for Inclusion of Lands into an Agricultural District for 2008.

The resolution was unanimously adopted.

There being no further business, on motion by Supervisor Travers Murphy, seconded by Councilwoman Ackerman, to wit, the meeting was adjourned at 8:47 PM (local time).

Respectfully Submitted,



Janis A. Colarusso
Town Clerk

