

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 December 2007 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 Ackerman	Councilwoman
David Kaczor	Councilman
Mark Dietrick	Councilman
Deborah Yeomans	Councilwoman
Janis Colarusso	Town Clerk
Leonard Berkowitz	Town Attorney
Samuel McCune	Chief of Police
Andrew Geist	Building Inspector
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 November 7, 2007 and the Special Meeting/Executive Session Minutes for October 24, 2007, November 14th & November 28th, 2007, 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.

Old Business #1 Cranberry Hollow, 3907 N. Buffalo Rd/Change-in-Use from Office to Retail

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

RESOLVED, that the Town Board does hereby authorize the Change-In-Use for Cranberry Hollow, 3907 North Buffalo Road, Zoned B-3, for the first floor area at 3907 North Buffalo Road from office space to retail store. The Planning Board recommends this approval with the following conditions and stipulations:

- This is a Type II SEQR Action and therefore no determination of significance is required.
- Any and all signage must be conforming to the Town Code.
- The Change-In-Use is for the first floor area only.

The resolution was unanimously adopted.

Old Business #2 Aquatic Sciences, 40 Centre Dr/Change-in-Use/Operations of a Test Tank

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

RESOLVED, that the Town Board does hereby authorize the Change-In-Use for Aquatic Sciences, 40 Centre Drive, Quaker Centre Business Park Zoned I-1, to allow the installation and operation of a test tank in the current storage/warehouse area for the development of remote operated vehicles for use in inspecting submerged conduits and pipelines. The Planning Board recommends the approval with the following conditions and stipulations:

- This is a Type II SEQR Action and therefore no determination of significance is required.
- The size of the test tank will be a maximum of 20' x 40'.

The resolution was unanimously adopted.

New Business #1 Schedule a Public Hearing/Local Law of the Year 2007/Sidewalk Maintenance

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

RESOLVED, that the Town Board does hereby Schedule a Public Hearing for Wednesday, January 16, 2008 at 7:00 PM for a Local Law for the Year 2008; Sidewalk Maintenance and Repair, and be it further

RESOLVED, that the Town Board does hereby authorize the Town Clerk to publish due notice in the official newspaper of the Town.

The resolution was unanimously adopted.

New Business #2 Appointments to the 2007-2008 Fall/Winter Staff to the Recreation Department

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

RESOLVED, that the Town Board does hereby authorize the following Winter 2007-2008 Staff Appointments to the Orchard Park Recreation Department, dependent upon the applicant providing the required certifications, as recommended by the Recreation Director.

Name	Address	Position	Title	Rate
Jennifer Buskus	Town of Orchard Park	PT2-B	Att.	\$9.00
Amanda Marts	Town of Hamburg	PT2-B	Att.	\$9.00
Anna Pawlaczyk	Town of Orchard Park	PT2-B	Att.	\$9.00
Ronald Schenk	Town of Orchard Park	PT6-D	Att.	\$15.00

The resolution was unanimously adopted.

New Business #3 Town Attorney to Proceed w/Dedication for Birdsong Sub., Part 3A, Phase 4B

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

WHEREAS, on November 29, 2007, a final inspection was conducted of the public improvements constructed in the Birdsong Subdivision, Part 3A, Phase 4B. The Project included the continuation of Woodthrush Trail. The completion of this subdivision phase will allow 10 new single family residential lots to be developed, and

WHEREAS, all work has been satisfactorily completed in accordance with Town specifications with the exception of the following, which will be completed when the weather permits:

- Install three-(3) light poles and fixtures, and all associated conduits, wiring, and pull boxes \$12,000
- Complete final grading and seeding in all areas of disturbance \$5,000, and

WHEREAS, the Engineering Department is in receipt of the cash securities for the completion of the items noted above. A two-year maintenance bond letter in the amount of \$137,500.00 has been submitted along with all other necessary documents.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the Town Attorney to proceed with dedication of the public improvements in the Birdsong Subdivision, Part 3A, Phase 4B constructed under PIP #2007-02, and be it further

RESOLVED, that the Town Board does hereby authorize the Town Clerk to release the performance security in the amount of \$27,500.00, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #4 Approve Change Order #1 to the Contract w/Progressive Roofing, Inc.

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

WHEREAS, the Engineering Department is requesting your approval of a Change Order to the contract with Progressive Roofing, Inc. for the Orchard Park Library and Highway Department Roof Renovations Project in the amount of \$800.00. If approved, this would increase the total contract amount to \$234,350.00, representing an increase of 0.34%, and

WHEREAS, the Change Order is requested to perform additional work not covered under their contract. The additional work involves the installation of a new Hercules drain insert with a new clamping ring on the Highway Garage Roof. The current drain cannot be reused and the work is necessary to correct an existing improperly installed roof drain. The roof warranty would be invalid without installing a new drain.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby approve Change Order #1 to the Contract with Progressive Roofing, Inc., for the Orchard Park Library and Orchard Park Highway Department Roof Renovations Project in the amount not to increase of \$800.00, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #5 Town Attorney to Proceed w/Dedication for Infrastructure for Delta Sonic

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

WHEREAS, on December 3, 2007, a final inspection was conducted of the public improvements constructed in the Delta Sonic Carwash Expansion – Sanitary Mainline Relocation. The project included the relocation of 348 LF of sanitary mainline as shown on the attached location map. The completion of this work will facilitate the completion of the Delta Sonic Carwash Expansion, and

WHEREAS, all work has been satisfactorily completed in accordance with Town specifications with the exception of the following, which will be completed when the weather permits:

- Replacement of manhole covers \$500
- Complete abandonment of the existing mainline with flowable fill after dedication \$2,000, and

WHEREAS, the Engineering Department is in receipt of the cash securities for the completion of the items noted above. In place of a two-year maintenance bond a certified check in the amount of \$137,500.00, has been submitted along with all other necessary documents.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the Town Attorney to proceed with dedication of the public sanitary sewer improvements for the Delta Sonic Carwash Expansion – Sanitary Mainline Relocation constructed under PIP #2007-03, and be it further

RESOLVED, that the Town Board does hereby authorizes the Town Clerk to release the performance security in the amount of \$4,500.00, as recommend by the Town Engineer.

The resolution was unanimously adopted.

New Business #6 Release Funds held in Escrow under PIP #2006-03 Baker Highland Subdivision

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

WHEREAS, on June 20, 2006, the Town Board accepted dedication of the public improvements constructed in the above referenced subdivision with the stipulation that funds paid by the developer be held in escrow until the decorative street lighting and landscaping was completed, and

WHEREAS, the contractor has since completed the installation of the decorative street poles, conduits and wiring and finished landscaping on Saddle Brook Court. The work was inspected by the Engineering Department and found to be in compliance with Town specifications.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the Town Clerk to release to Marrano/Marc Equity Corporation, 2730 Transit Road, West Seneca NY 14224, the \$35,000 and \$20,000 held in escrow for decorative street lighting work and various landscaping, under PIP #2006-03 Baker Highlands Subdivision for completion of Street Lighting and Landscaping.

The resolution was unanimously adopted.

New Business #7 Authorize the Posting of a "Stop Sign" on Mallard Lane @ Woodthrush Trail

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

WHEREAS, per the request of the Town Engineer, 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 the posting of a "Stop Sign" on Mallard Lane at the intersection of Woodthrush Trail within the Town of Orchard Park, 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.

New Business #8 Approve Extension of the Part-time Summer Help for the Engineering Dept.

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

WHEREAS, Funds have been allocated in the 2007 and 2008 budget for seasonal part-time help in the engineering Department. We have received a request from one of our summer help employees to provide additional services during her winter break from school, and

WHEREAS, with the current work load of the Engineering Department, and the experience of the applicant, I am requesting that the Town appoint Katherine McCarthy for an additional three to four week period starting December 26, 2007 and ending approximately January 18, 2008, and

WHEREAS, Katherine McCarthy worked out very well this past summer in the Engineering Department. Katherine is a freshman at Alfred State majoring in Architecture. Katherine has also completed two years of CADD (drafting) training at ORMSBY Center.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the part-time appointment of Katherine A. McCarthy, who lives in the Town of Orchard Park, to a seasonal part-time position in the Engineering Department for a four-week period beginning December 26, 2007 at a wage rate of \$9.00/hour in the Engineering Department, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #9 Highway Superintendent to buy International Truck off NYS Bid Contract

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

RESOLVED, that the Town Board does hereby authorize the Highway Superintendent to purchase a New 2007 International Truck, 7500 SFA 4x2 Cab and Chassis, under New York State Bid Contract for \$79,655.20, as requested by the Highway Superintendent.

The resolution was unanimously adopted.

New Business #10 Chief of Police requesting to hold bids for New 2008 Marked Police Patrol Cars

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

RESOLVED, that the Town Board does hereby authorize the Chief of Police to solicit for bids for three (3) New 2008 Marked Police Patrol Cars. Bid opening to be held December 17, 2007 at 11:00 AM, in the Supervisor's Conference Room.

The resolution was unanimously adopted.

New Business #11 Nativity Parish to hold a 5K Run/Walk to Celebrate their 100th Anniversary

14) 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 Nativity of Our Lord Parish to conduct a 5K Run/Walk to celebrate their 100th Anniversary of the Parish for Monday, September 6, 2008. The run/walk will begin at 10:00 AM from the parking lot at Nativity of Our Lord School and end around 11:00 AM, with post race activities concluding by 2:00 PM.

The resolution was unanimously adopted.

New Business #12 & 13 Public Safety Committee Recommendations for the Town Board

Item #12 TABLED - Town Board does hereby authorize the Supervisor to send a letter to Mr. Campbell, 303 Lakeview Avenue, Orchard Park, NY 14127, stating a traffic study has been recommended to determine if a traffic signal is recommended for the "Four Way Stop" sign(s) in Quaker Crossing.

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

RESOLVED, that the Town Board does hereby refer the matter of the petition from the residents on Milestrip Road to have their mailboxes moved to the opposite side of the road, due to traffic, to the United States Postal Authority as they are the proper entity to handle this issue.

The resolution was unanimously adopted.

New Business #14 Refer to the Planning Board and Conservation Board:

16) 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 refer the following item listed on the agenda to the Planning Board and/or Conservation Board: Dominick Piestrak, vacant land located on the south side of Milestrip Road, West of Transit Road, requesting to rezone the property from R-2 to R-1 to build single family residential homes.

The resolution was unanimously adopted.

Elected Officials & Department Heads

17) 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:

Supervisor	From: \$200.00	B.8010.0200	Zoning – Computer Remodeling
	From: \$229.16	B.8010.0450	Zoning – Publishing
	To: \$429.16	B.8010.0400	Office Supplies
	From: \$200.00	B.8020.0405	Planning – Resources
	To: \$200.00	B.8020.0400	Planning – Office Supplies
	From: \$588.25	B.8020.0414	Planning – Mandated Training
	To: \$588.25	B.8020.0413	Planning – Travel & Conference
	From: \$35.00	A.7020.402	Recreation – Craft Supplies
	To: \$35.00	A.7020.450	Recreation – Publishing
	From: \$2,000.00	A.7020.201	Recreation – Play Equipment
To: \$2,000.00	A.7020.480	Recreation – Supplies	
From: \$1,282.64	A.7020.463	Recreation – Transportation	
To: \$1,282.64	A.7020.478	Recreation – Building Rental	
Town Clerk	From: \$27,000.00	A.1410.0462	Increase Appropriation Account
			Town Clerk – Records Management
	To: \$27,000.00	A.0000.3060	State Aid – Records Management
			Increase Estimated Revenues
Chief of Police	From: \$4,000.00	A.599	DARE Reserve
	To: \$4,000.00	A.2989.419	DARE Expenses

The resolution was unanimously adopted.

Receive & File Reports

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

RESOLVED, that the Town Board does hereby receive and file the following Reports: Building Inspector's Monthly Report and Building Permits for November 2007, and the Chief of Police's Monthly Report for November 2007.

The resolution was unanimously adopted.

Councilwoman Ackerman stated that the Town has received a grant from New York State for \$250,000 for the purchase acquisition of the Cimato Brothers property located between Big Tree Road and Abbott Road. This property is contiguous to the Town owned Stanley property and Brush Mountain Park, which would enable the Town access to that whole area for remedial drainage issues for the Bussendorfer neighborhood and Brush Mountain Park Recreation Plans.

Councilwoman Yeomans stated that she requested to schedule a Public Hearing this evening concerning the ethics reforms recommended by the Town Ethics Board eighteen months ago. She stated that Councilman Kaczor responded to Councilwoman Yeomans request as a "feel good" measure and suggested that the hearing be postponed until after the appointments, which these very changes would affect. Two members of the Ethics Board have resigned, one stating serious ethical concerns in our Town Government as one of the reasons. Councilwoman Yeomans stated that she has tried to bring improvements to our Local Government during her term and would remain committed to working for the residents until the end of her term.

Councilman Kaczor stated that Councilman Yeomans request was short notice and unreasonable to schedule a Public Hearing, Work Session and Town Board Meeting, to the enormous workload in the months of November and December. He also stated there will be two (2) new appointments to the Ethics Board, and one (1) new Town Board Member who has legal background, which will bring expertise to the Ethics Board issues. Councilman Kaczor thanked the Town Board Members, especially Supervisor Travers Murphy, Wayne Drescher and Department Heads, for their efforts regarding the health issues in regard to the budget.

Councilman Dietrick explained that he voted in favor of the Special District Budget, but not the General Budget. He felt that there could be more savings by examining department spending and was glad that there would be continued discussion by the Town Board next year.

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

RESOLVED, that the Town Board does hereby authorize the request from the Town Clerk, to direct the Supervisor, to execute the Agreement with Chase Bank for the utilization of a credit card payment in the Town Clerk's Office, at no cost to the Town, as recommended by the Town Attorney Berkowitz.

Councilman Dietrick stated that this is one of the areas he would like to see explored more. Technology can create a more efficient flow from the different departments within the Town.

The resolution was unanimously adopted.

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

RESOLVED, that the Town Board does hereby authorize the request of Recreation Director Leak, to create a non for Profit Corporation, to be called the *Orchard Park Recreation Youth Foundation, Inc.* to receive funds from various foundations. The expenditures to the Secretary of State are not to exceed \$1,000.00, as recommended by Town Attorney Berkowitz.

The resolution was unanimously adopted.

Highway Superintendent Piasecki stated that there would be continued brush and leaf pick up.

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

RESOLVED, that the Town Board does hereby authorize the approval of all entries on Warrant #23 following auditing by members of the Town Board and in the funds indicated:

General Fund	\$758,536.25
Part Town Fund	\$26,330.29
Risk Retention	\$0.00
Cemetery Fund	\$0.00
Highway Fund	\$141,629.74
Special Districts	\$580,071.02
Trust & Agency	\$1,908.94
Capital Fund	\$359.36

The resolution was unanimously adopted.

Receive & File Reports

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

RESOLVED, that the Town Board does hereby receive and file the following Reports: Building Inspector's Monthly Report and Building Permits for November 2007, and the Chief of Police's Monthly Report for November 2007.

The resolution was unanimously adopted.

BUSINESS FROM THE FLOOR

At this time, Supervisor Travers Murphy introduced Kevin Gaughan, who gave a presentation.

The Cost of Local Governments:

Mr. Gaughan stated that it was an honor and a privilege to be at his third stop at Orchard Park. He has planned a forty-four government tour of towns and has been involved in this work for nearly a decade. Mr. Gaughan. Mr. Gaughan stated that he loves this great community and tries to suggest ideas and manners in which to make it even greater. He gave a historic overview of Western New York and gave statistics of the waning population and economic decline. Mr. Gaughan gave a PowerPoint comparison of

local town governments with their number of elected officials. Mr. Gaughan stated that change is difficult, but is advocating that every suburban town and village consider downsizing their elected officials by two for increased efficiency and lowering costs. Mr. Gaughan stated that the real cost imposed on the citizens is time, arguing over change instead of creating it. The State of New York used to be the most progressive, forward looking and inclusive government. His hope was that if we can become an innovator in changing local government into something that makes more sense, costs less and more fair, that we can at least take a first step towards restoring New York State. He thanked the Town Board for the opportunity to respectfully make this recommendation tonight.

Councilman Kaczor – The Councilman thanked Mr. Gaughan for his presentation. Councilman Kaczor pointed out that the “brain drain” is happening in other major cities as well as in Western New York. The other cities are offset by people moving in, whereas the Buffalo area does not attract younger people. Councilman Kaczor noted that Mr. Gaughan’s study should identify the number of government employees, as New York State is our biggest employer. There should be a push to bring down the size of government across the board, not just focusing on Town Board employees. Councilman Kaczor stated that in Orchard Park, Town Board members are involved in other Boards and Committees, which would not be possible with less Town Board members considering the work involved. Perhaps it depends on each individual Town as to the number of members necessary to run their Town government. He felt that the Erie County has failed and he wants to protect our community and keep the control with our Town government.

Mr. Gaughan stated that this presentation has nothing to do with regionalism, consolidation or take on burdens from other towns. He asked only that the Town would look at this change with an open mind.

Francis Hogankamp – He is a Village Trustee, businessman and resident in the Village of Orchard Park. He thought that the work ethic has been lost in Western New York. He didn’t feel that a failed system is necessarily caused by elected politicians. In other communities in the country, there are no local governments, which we can appreciate. In regard to the “brain drain”, there are college expansions, the medical corridor and revitalization of the Downtown area in Buffalo. He stated that we have a great community because of our residents with ideals and morals.

Mr. Gaughan stated that this study is asking one segment of government, the Towns and Villages considered changing, then maybe foster change in County and State government.

David Rood – He has been the Chairman for the Village Planning Board and a Village resident. He felt that the reduction of politicians should start first in Albany. He felt the “brain drain” may be misused as there are more job opportunities for college graduates in our area. When the State stops dictating what to do in our Towns and Villages, where monies and people are managed very well, then we can start reducing the number of Town and Village officials.

Councilwoman Ackerman – She gave a historic perspective on some geographic reasons that have negatively impacted this area economically. She stated that she felt the reasons for all the problems in Western New York are because of too many government officials is rather simplistic and unfortunate.

Louis Boehm – He stated that Mr. Gaughan has presented the numbers and there needs to be a reduction. He stated that these changes need to start here and now, instead of pointing to somewhere else.

Kathy Gorkiewicz – She stated that with the last Town election, a member of the Village Board was elected to the Town Board and she thought that would be a good way to bring the two together and become one government. Ms. Gorkiewicz read a letter her concern regarding the backup traffic on Milestrip Road relating to Quaker Crossing. She also stated that a proposed Wal-Mart in that area could not handle this amount of traffic.

John Marlow – He read a letter in regard to the lack of sidewalks on Baker Road and North Freeman Road near the High School. He quoted from the Town of Orchard Park 2007 Comprehensive Plan these recommendations to support his concern: a) “Increase the opportunities for bicycling and walking to reduce automobile dependency and promote healthy recreation,” b) “Provide safe access to schools, parks and community centers for citizens of all ages,” c) “...provide walkways and on-street bicycle paths in appropriate area and improve the shoulders of roads in rural areas to enhance walking and bicycling opportunities,” d) “Increase accessibility of public facilities, such as schools and parks, through better connections with each other...” and e) “Improve walk ability and access for bicycles in all school locations’ with f) “Connections need to be made from schools to the Village and/or nearby residential areas”. He asked the Town Board to demonstrate to the citizens of Orchard Park that different governments can work together towards a solution and stop pointing fingers on responsibility. Mr. Marlow stated that if the Town can find funding for nine parks and the Brush Mt. Park development, they should be able to find a solution to address walkways, sidewalks and striping for the OP High School students.

Louis Boehm – He had a question to the ethical statement announced at the beginning of the Town Board meeting had to be filed with New York State. Councilman Dietrick explained that every Town employee signs a disclosure form at the beginning of year. Mr. Boehm stated that in support of Ms. Gorkiewicz’s comment, Lake Avenue has experienced more traffic volume and with the proposed Wal-Mart it would ruin the habitability of that street. Mr. Boehm stated he would miss Councilwoman Yeomans on the Town Board. He also asked the Town Board to consider replacing the official Town newspaper.

Tom Casey – He stated that he was encouraged by Councilwoman Ackerman’s commitment after the election that “It is now time to put politics aside and all work together”. Mr. Casey stated that the Town Ethics Board recommended that Town employees not hold a high ranking political party position. Mr. Casey asked that the Town Board start the New Year by putting negative politics aside and putting the good of the Town first with an affirmation of their commitment to ethics and the ethics and thoughtful recommendations of the Ethics Board members by not reappointing the present Town Planning Coordinator who is the Conservative Party Chairman. He stated that his pension is enhanced by the taxpayers.

Steve Dina – He stated that Mr. Gaughan’s presentation was insightful, concise and encouraged him to bring this appeal to the people for appropriate change. He felt that if the Town and Village were combined it would simplify the process and end duplication of local government services.

Dean Kroll – He stated that he brought this message to the Town Board regarding www.thecost.org with the response that it was not our problem. He told Mr. Gaughan that his plan was right on. He would like to see the plan start in Orchard Park. He is member of the Supervisor’s Task Force which evolved to find ways to consolidate the Town and Village. He stated that residents have to obtain most licenses from the Town, which is in the same building as the Village. The Highway Department could be consolidated and they are also responsible for the all the maintenance in the parks. The Police Department has already merged. Mr. Kroll stated that we should finish it to be more efficient and save money. This could create the momentum for other Towns to follow. He stated that with the amount of savings from consolidating, we could invest in ourselves and our young people would be able to work and reside in Western New York.

Don Quinlan – He is a member on the Supervisor’s Task Force that is researching government efficiency. His children would like to live in Western New York, but six out of seven left due to lack of employment opportunities. Mr. Quinlan stated that with most of the services in the Village were farmed out, including the independent Garbage carrier, that this would be the time to consolidate and not

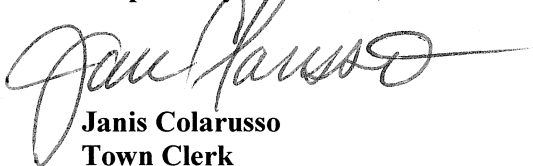
negatively disrupt the Village employee's lives who could be absorbed through the Town. He stated that since the Village Clerk and the Village Superintendent of the Department of Public Works have announced their retirement and the Village Trustee is moving to the position of Town Board Councilman, this would be a perfect opportunity to consolidate the Town and Village and with the demands on the Town Board members who have full-time jobs, perhaps replacing part-time officials with three full time officials might be a solution. Mr. Quinlan felt that there was reluctance on either Board to move forward with any change. Councilman Dietrick stated that this is his first opportunity to speak publicly on this subject and if the Village Board initiates change, he would listen, as it would be their position to do so.

Francis Hogankamp – He stated that the Village has recently conducted a comparison of taxes between the Village and Town. The cost was between \$8 to \$13 more to live in the Village than Town. There are services that the Village offers such as lighting, leaf and brush clean up and snow plowing. He stated that if the Town and Village were to merge the Town would probably have to create a separate tax district for the Village. Mr. Hogankamp feels that the Village is very efficient and provides activities that are totally funded by contributions. The Village Board has merged the Police Departments and sanitary sewers with Erie County and is always looking for ways to save money.

Supervisor Travers Murphy thanked Kevin Gaughan for his presentation and promoting thought and conversation on the subject of our Town governments.

Councilman Kaczor asked the audience to observe a moment of silence in memory of Rev. Philip Shaal, who was an active member in Historic Preservation and many volunteer groups in the Town. There being no further business from the floor, on motion by Councilman Dietrick, seconded by Councilwoman Ackerman, to wit: the meeting was adjourned at 9:03 PM (local time).

Respectfully Submitted,



Janis Colarusso
Town Clerk