

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 15th day of December at 7:00 PM, the meeting was called to order by the Supervisor and there were:

**PRESENT AT ROLL CALL:**

|                         |                        |
|-------------------------|------------------------|
| Janis Colarusso         | Supervisor             |
| Nancy Ackerman          | Councilwoman           |
| Edward Graber           | Councilman             |
| David Kaczor            | Councilman             |
| Eugene Majchrzak        | Councilman             |
| Carol Hutton            | Town Clerk             |
| Leonard Berkowitz       | Town Attorney          |
| Andrew Geist            | Building Inspector     |
| Joseph Buccilli         | Police Lieutenant      |
| Frederick Piasecki, Jr. | Highway Superintendent |
| Wayne Bieler            | Town Engineer          |

**ABSENT:**

|             |                 |
|-------------|-----------------|
| Andrew Benz | Chief of Police |
|-------------|-----------------|

**Supervisor Colarusso 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."

**Distinguished Service award to Recognize Daniel Ransom for his years of service to the Historic Preservation Board as Chairman was presented by Councilman Kaczor.**

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

**RESOLVED**, that the Regular Town Board minutes held on November 17, 2010 & December 6, 2010 and the Executive/Special Session meetings of October 13, 2010 & December 6, 2010 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) the Supervisor called for the Public Hearing to hear all interested parties for or against the petition of the following property owners to grant a Conservation Easement and to authorize the Town Assessor to determine the valuation of the properties taking into account the limitation of the future use of the land imposed by such Conservation Easements:

- Lawrence P. Bochen, 5196 Ellicott Road, for 10 acres Vacant Land to be placed in a 15-29 year Conservation Easement, and
- Bartholomew Elder & Diane Perrello, 6804 Scherff Road, for 18 acres of this 24.79 acre parcel to be placed in a Perpetual Conservation Easement.

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.

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 for the granting Conservation Easements for Lawrence P. Bochen, 5196 Ellicott Road and Bartholomew Elder & Diane Perrello, 6804 Scherff Road is hereby closed at 7:10 PM (local Time).

**The resolution was unanimously adopted.**

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

**RESOLVED**, that the Conservation Easements petitions for Lawrence P. Bochen, 5196 Ellicott Rd. to place 10 acres of vacant land into a 15-29 year Easement and Bartholomew Elder & Diane Perrello, 6804 Scherff Road to place 18 acres of the 24.79 acre parcel in a Perpetual Easement, are hereby granted.

**The resolution was unanimously adopted.**

### **PUBLIC HEARING**

Prior to the Public Hearing Town Attorney Berkowitz stated the reason for this Local Law is a change in the State Law in which the State has legislated that it will now be the responsibility of the Municipalities to regulate and license the dogs in their community.

At 7:00 PM (local time) the Supervisor called for the Public Hearing to hear all interested parties for or against the Local Law for the Year 2010 entitled "Dog Ordinance"

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.

No one spoke

4) 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 adopting the Local Law for the proposed Dog Ordinance is hereby closed at 7: 20 PM (local time).

**The resolution was unanimously adopted.**

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

**RESOLVED**, that the Town Board does hereby adopt Local Law 4-2010, Amendment of Chapter 58 of the Code of the Town of Orchard Park ("Dog Ordinance") which reads as follows:

1. §58-1 shall be amended to read as follows

§58-1 Purpose and Applicability

- A. Purpose. The purpose of this chapter is to promote public health, safety and welfare of the residents of the Town of Orchard Park by providing for:

1. the licensing and identification of the dog population;
2. the control and protection of the dog population;
3. the protection of the persons, property, domestic animals and deer for dog attacks and damage, and
4. the control of noise by dogs

- B. Applicability. This chapter shall apply to the entire Town of Orchard Park

2. A new Section §58-2 shall be added to read as follows:

§58-2 Definitions.

- A. The definitions of terms as set forth in Chapter 59, Part T, of the Laws of 2010, as further contained in Article 7 of the Agricultural and Markets Law of the State of New York, effective January 1, 2010, shall be applicable to such terms contained in this Chapter.
- B. Town Clerk's Office – shall mean the Office of the Town Clerk of the Town of Orchard Park.
- C. Town – shall mean the Town of Orchard Park

3. §58-1, Dogs running at large prohibited, shall be renumbered to §58-3
4. §58-2, Seizure; violations, shall be renumbered to §58-4
5. §58-4, Penalties for offenses, shall be renumbered to §58-5
6. §58-5, Enforcement, shall be renumbered to §58-6
7. §58-6, Minors as owners, shall be renumbered to §58-7
8. §58-7, Presumption of evidence, shall be renumbered to §58-8
9. §58-8, Filing of Complaints, shall be renumbered to §58-9
10. §58-9, Violations of public health laws, shall be renumbered to §58-10
11. A new §58-11 Licensing and Identification of dogs

§58-11 Licensing and Identification of dogs

A. Licensing of Dogs

All dogs within the Town of Orchard Park being four (4) months of age or older shall be licensed by the Town Clerk's Office. The owner of each dog required to be licensed shall obtain, complete and return to the Town Clerk's Office a dog license application, together with license application fee, any applicable license surcharges and such additional fees as may be established by the Town of Orchard Park. Each license application shall be accompanied by proof that the dog has been

vaccinated against rabies or a statement from a licensed veterinarian that such vaccination would endanger the dog's life in which case vaccination shall not be required. Each license shall be valid for a period of one year and shall not be transferable.

#### B. License Fees and Surcharges

1. License Fees and Surcharges under this chapter shall be prescribed, from time to time, by the Town Board of the Town of Orchard Park by resolution.
2. In the event that an owner of a dog which is licensed by another municipality in Erie County and moves in the Town of Orchard Park he/she must obtain an identification tag from the Town Clerk's Office. In such instance, there will be no additional fee owing to the Town of Orchard Park until such time as the license from the other municipality expires

#### C. Identification of Dogs

1. Each dog licensed by the Town shall be assigned, at the time the dog is first licensed, a municipal identification number. Such identification number shall be carried by the dog on an identification tag which shall be affixed to a collar on the dog at all times. The Town may exempt dogs participating in a dog show during such participation for this requirement.
2. No tag carrying identification number shall be affixed to the collar of any other dog than the one to which that number has been assigned.

#### D. Impoundment Fees

The owner of any dog impounded by the Town of Orchard Park shall be entitled to redeem that dog within five (5) business days, excluding the day the dog is impounded, from the day the dog is impounded, provided that the owner produces proof that the dog is licensed and identified and pays the fees as prescribed by the Town Board from time to time by resolution

12. §58-11 Certain access prohibited, shall be renumbered to §58-12
13. §58-12 Dog limit per household, shall be renumbered to §58-13
14. It is hereby added as follows:

#### §58-14 Severability.

If a clause, sentence, paragraph or part of this local law or the application thereof, to any person or circumstances shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder hereof or the application thereof to other persons or circumstances, but shall be confined in its operation to the clause, sentence, paragraph or paragraph or part thereof and the persons and circumstances directly involved in the controversy in which such judgments shall have been rendered.

15. The above changes shall be effective as of January 1, 2011.

**The resolution was unanimously adopted.**

#### **New Business #1 Approve Resolution to establish fees & surcharges for Dog Licenses**

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

**RESOLVED**, that the following fees and surcharges are hereby adopted, pursuant to Chapter 58 of the Code of the Town of Orchard Park

|                               |  |
|-------------------------------|--|
| Spayed & Neutered Dogs        | \$ 12.00   |
| Unspayed & Unneutered Dogs    | \$ 20.00   |
| Purebred (1-10)               | \$ 35.00   |
| Purebred (11-25)              | \$ 60.00   |
| Purebred (25 & up)            | \$100.00   |
| Purebreds unaltered per dog   | \$ 3.00  |
| Redemption (1 <sup>st</sup> ) | \$ 20.00 plus \$10.00 a day                      |
| Redemption (2 <sup>nd</sup> ) | \$ 35.00 plus \$10.00 a day                      |
| Redemption (3 <sup>rd</sup> ) | \$ 50.00 plus \$10.00 a day                      |
| Adoption                      | \$ 20.00   |
| Replacement tags              | \$ 4.00  |
| Multiple Dog Housing Permit   | \$ 50.00 ( for households with more than 3 dogs) |
| Late fees/Per license         | \$ 10.00 plus \$2.00 per month if not paid       |

And be it further

**RESOLVED**, that reminder letters shall be forwarded to the Licensee within one month of the expiration of their license, and be it further

**RESOLVED**, that the licensee shall be also advised that they may be punished for failure to license their dog by a fine of up to \$250.00 or an imprisonment for not more than 15 days, or both.

**The resolution was unanimously adopted.**

**New Business #2 Cancel Work Session for Wednesday, December 22, 2010**

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

**RESOLVED**, that the Town Board does hereby cancel the Work Session for Wednesday, December 22, 2010, due to the Holiday week.

**The resolution was duly adopted.**

**New Business #3 Schedule a Special Meeting.**

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

**RESOLVED**, that the Town Board does hereby schedule a Special Meeting, Tuesday, January 4, 2011, at 5:00 PM, in the Supervisor's Conference Room, to review the most recent DEIS documents from Wal-Mart.

**The resolution was unanimously adopted.**

**New Business #4 Schedule the 2011 Organizational Meeting.**

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

**RESOLVED**, the Town Board does hereby schedule the 2011 Organizational Meeting for Wednesday, January 5, 2011, at 6:00 PM, with the first regular meeting of the Town Board to immediately follow. The Work Session of the Town Board will begin at 5:30 PM in the Supervisor's Conference Room.

**The resolution was unanimously adopted.**

**New Business #5 Approve Final Change Order Release of Retention for Ellis Rd. Watermain**

**10) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN MAJCHRZAK, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GRABER, TO WIT:**

**WHEREAS**, the construction work on the Watermain Replacement Installation for the Ellis Road Watermain Replacement Installation project has been satisfactorily completed in accordance with Town standards and specifications, and

**WHEREAS**, a two-year maintenance bond in the amount of \$33,431.27 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 Over/Under sheet lists the final adjustments to the quantities for each bid item and shows there was a net decrease of \$3,067.05. This represents a decrease of 8.73% from the Bid Contract amount.

**NOW, THEREFORE**, be it

**RESOLVED**, that the Town Board does hereby approve the Final Change Order and authorize release of retention for the Ellis Road Watermain replacement installation for Ellis Road Reconstruction Project to Fairway Contracting, 5389 South Freeman Rd., Orchard Park, New York 14127 in the amount of \$171.56, and authorize the Town Clerk to release the performance cash securities in the amount of \$34,998.32 and \$4,000, as recommended by the Town Engineer.

**The resolution was unanimously adopted.**

**New Business #6 Approve Final Change Order Release of Retention for 2007 Utility Improvements.**

**11) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN MAJCHRZAK, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GRABER, TO WIT:**

**WHEREAS**, the construction work on the 2007 Utility Improvements Project has been complete, and on May 21, 2009 a final inspection was conducted and all of the work has since been satisfactorily completed in accordance with the contract documents and specifications, and

**WHEREAS**, the two-year maintenance bond in the amount of \$268,591.12 has been submitted along with the Affidavit of Release of Liens, Affidavit of Subcontractor Payment and necessary legal documents, and

**WHEREAS**, the Over/Under sheet lists the final adjustments to the quantities for each bid item and shows there will be a net decrease of \$30,070.88.

**NOW, THEREFORE**, be it

**RESOLVED**, that the Town Board does hereby approve the final Change Order and authorize Release of Retention to Fairway Contracting, P.O. Box 352, Orchard Park, New York 14127 for the 2007 Utility Improvements Project in the amount of \$49,387.34, as recommended by the Town Engineer.

**The resolution was unanimously adopted.**

**New Business #7 Approve Final Change Order Release of Retention to Tom Greenauer**

**12) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN MAJCHRZAK WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GRABER, TO WIT:**

**WHEREAS**, the construction work on the Road Culvert and Outfall Replacement for the Ellis Road has been satisfactorily completed in accordance with Town standards and specifications.

**WHEREAS**, a two-year maintenance bond in the amount of \$35,200 has been submitted along with the Affidavit of Release of Liens, Affidavit of Payment of Debts and Claims, and necessary legal documents.

**WHEREAS**, the Over/Under sheet lists the final adjustments to the quantities for each lump sum bid item and shows there was no net change to the Contract Bid Amount of \$35,200.

**NOW, THEREFORE**, be it

**RESOLVED**, that the Town Board does hereby approve the Final Change Order and authorize release of retention for the Ellis Road Culvert and Outfall Replacement Project for Ellis Road Reconstruction Project to Tom Greenauer Development, Inc., P.O. Box 250, Springbrook, New York 14051 in the amount of \$1,760, and authorize the Town Clerk to release the performance bond in the amount of \$35,200, as recommended by the Town Engineer.

**The resolution was unanimously adopted.**

**New Business #8 Approve Final Change Order Release of Retention to E.J. Militello Concrete, Inc.**

**13) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN MAJCHRZAK WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GRABER, TO WIT:**

**WHEREAS**, the construction work on the Concrete Gutter & Driveway Apron for the Ellis Road Reconstruction Concrete Gutter & Driveway Apron project has been satisfactorily completed in accordance with Town standards and specifications, and

**WHEREAS**, a two-year maintenance bond in the amount of \$61,119.60 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 Over/Under sheet lists the final adjustments to the quantities for each bid item and shows there was a net decrease of \$11,630.40. This represents a decrease of 15.99% from the Bid Contract amount.

**NOW, THEREFORE**, be it

**RESOLVED**, the Town Board does hereby approve the Final Change Order and authorize release of retention for the Concrete Gutters & Driveway Aprons for Ellis Road Reconstruction Project to E.J.

Militello Concrete, Inc., P.O. Box 770, East Amherst, New York 14051 in the amount of \$3,055.98, and authorize the Town Clerk to release the performance bond in the amount of \$72,750.

**The resolution was unanimously adopted.**

**New Business #9 Approve Street Name for the Proposed "Meadow Woods Townhouse" Subdivision**

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

**RESOLVED**, that the Town Board does hereby approve the proposed street name "Peaceful Place" as requested by Walter Schmidt for the "Meadow Woods Townhouses" Subdivision, located on California Rd.

**The resolution was unanimously adopted**

**New Business # 10 Refer to Conservation & Planning Board:**

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

**RESOLVED**, that the Town Board does hereby refer the following to the Planning Board and Conservation Board: Walter Schmidt's proposed "Meadow Wood Townhouses", 14.34 acres of vacant land, east side of California Road, south of Big Tree Road, Zoned R-3. Applicant is requesting a Special Exception Use Permit be granted, for a proposal to construct a town house project. (Note: Special Exception Use approval was granted by the Town Board on 7/02/08, this will expire on 1/02/11.)

**The resolution was unanimously adopted**

**BUSINESS FROM THE FLOOR**

**Kathy Gorkiewicz** – stated that she feels the Budget Approval process should be more open, as there was no further public discussion regarding the budget between the Public Hearing and the final approval. She stated that the Town Board needs to adhere to the Open Meeting Laws and the Town Attorney should make sure they do. She also discussed pedestrian safety on Milestrip Road, especially if Wal-Mart opens its store. If Wal-Mart does get approval from the Town, it should be stipulated that they have to tear the building down if they leave.

**David Schuster** – would like to know why the Town Board wants to move the Senior Center out of the Village when there are viable sites in the Village. Mr. Schuster stated that 87% of the residents are against the heated sidewalks at the Senior Center. He questioned a four page newsletter being put in the Recreation Flyer. He also stated that West Seneca has approved a Wal-Mart on Seneca St, only 6 miles from the proposed Orchard Park site.

**Lou Boehm** – discussed a potential problem at the Lake Avenue water tower, and feels the Town should address this issue. He also commented on Wal-Mart.

**Tom Piezynski** – encouraged the Town Board to approve the Wal-Mart DEIS, to move the process along.

**Chris Weyer** – stated that the Wal-Mart situation has been going on for a long time, and wanted the Board members to state their stand on this issue. It is time for the citizens to know where their representatives stand.



**Tom Lucy** – Civil Engineer with APD, consultants for Wal-Mart. He thanked the Town Board for setting up the meeting on Jan. 4, 2010 and the consultants will make themselves available to discuss the DEIS, and look forward to the Public Comment section. They are currently looking into the NYS DOT issues.

**Charles Catalina** – did not understand why people did not complain about traffic as Quaker Crossing was being developed, but are now concerned about Wal-Mart's effect on traffic.

### ELECTED OFFICIALS & DEPARTMENT HEADS

#### Budget Transfers

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

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

#### Sewer, Water & Lighting Department

\$5,910.00      From: 518.8120.0494 -Contingent  
To: 518.8120.180.495 – Pump Stations

#### Highway Department

\$4,349.00      From: DA.5110.0472 Hwy Stone, Gravel  
To: DA.5130.0419 Machinery-Hwy Equip  
\$5,000.00      From: DA.5140.0416 Hwy Bridges  
To: DA.5130.0419 Machinery – Hwy Equip

**The resolution was unanimously adopted.**

The Town Board wished everyone a Merry Christmas and a safe and Happy New Year

Supervisor Colarusso, in responding to the Wal-Mart question, stated that any business that comes to the Town and adheres to all the Town Codes, does all that is required of them by the Town Boards and Committees, and is approved by them, will have her support. The reason she would support these businesses is job creation.

Councilwoman Ackerman responded to Mr. Catalina's question by stating that when Quaker Crossing was initially approved, the approval encompassed the whole site. All the new business had to do after that was to obtain building permits, they did not have to go through individual approval procedures.

Councilman Kaczor thanked Mr. Boehm for his letter concerning the water tower on Lake Ave. They had a meeting set up to look into the situation, but it was cancelled. The Town Engineer would be able give him more info. Regarding Wal-Mart, he is not against it. As with any project, he wants to make sure it is in the best interest of the Community as far as meeting all the codes. If it makes sense and meets the codes properly and all the issues are addressed, he would support it. He is pro business growth in Orchard Park.

Councilman Graber stated that legally, Wal-Mart has the right to build their project if it meets all the codes. But, if they decided to build this store for tax breaks, and in 10 years, they tire of that location, he does not want to see an eyesore left behind. He feels it is still premature to make any decisions.

Councilman Majchrzak stated that any petitioner has a legal right to develop their land, and it is the Town's job to make sure all the I's are dotted and the T's are crossed, and that the petitioner goes through the process. He cannot say if he is for or against it. What he wants is a good project, where everything is done legally and appropriately.

Highway Superintendent Piasecki announced that they have received a check from the State for the Compost site in the amount of \$296,113.97 as part of the reimbursement for some new equipment. He stated that the Highway Department received an award from New York State Materials Association for the reconstruction of Ellis Road. This a great tribute to the Highway Department. He also asked people to drive by Green Lake to check out the new ornaments.

Town Engineer Wayne Bieler, regarding the Lake Avenue Water Town, stated that the Town has no authority over it, as the Erie County Water Authority owns the Tower. The Water Authority did submit their plans to the Town for review. The earthen embankment that Mr. Boehm referred was an earthen reservoir at one time, and when the tank was built, they did not bother to remove all the earth from the embankment, as it is cost prohibitive. Mr. Bieler did relay Mr. Boehm's concerns to the Water Authority and gave him names of officials he could contact for further information

17) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR COLARUSSO, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GRABER, TO WIT:

**RESOLVED**, that the Town Board does hereby authorize the approval of all entries on Warrant #24 following auditing by members of the Town Board and in the funds indicated:

|                           |              |
|---------------------------|--------------|
| <b>General Fund</b>       | \$56,236.18  |
| <b>Part Town Fund</b>     | \$843.35     |
| <b>Risk Retention</b>     | \$0.00       |
| <b>Cemetery Fund</b>      | \$0.00       |
| <b>Highway Fund</b>       | \$17,469.67  |
| <b>Special Districts</b>  | \$144,609.86 |
| <b>Trust &amp; Agency</b> | \$15,348.96  |
| <b>Capital Fund</b>       | \$56,905.99  |

**The resolution was unanimously adopted.**

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

**RESOLVED**, that the Town Board does hereby receive & file the following communications & reports:

**Communications:**

- Supervisor & Town Board Members would like to thank the following individuals for their support in getting the 1<sup>st</sup> Annual Girl Scout Christmas Tree Decorating by the Girl Scouts of Orchard Park: the Girl Scouts of Orchard Park, Mayor John Wilson & Village Trustees, Village Highway Superintendent, Andy Slotman & his crew, W.G. Arthur's, President Joe Wales, Orchard Park Maintenance Department Crew Bob, Stan & Becky. On behalf of the Town Board, we appreciate your time and donations in making the Municipal Center a joyful place to be.

- **Public Safety Committee:** Does not recommend that the Town Board reduce the 35 MPH speed limit on Baker Rd. The issue of the curve in the road in front of 3965 Baker Road was by design of the Town. The Police presence is noted by the 67 traffic details and the issuance of 45 traffic tickets.
- **Public Safety Committee:** Does not recommend that the Town Board approve a left turning lane onto Weiss Road. At the request of the Planning Board, the Committee reviewed Weiss Road and the issue of Fire and Emergency vehicles access to the proposed Senior Housing project in 2008 and did not advise the single ingress and egress at that time. The Committee therefore, would recommend to the Town Board to refer this request to the Town Engineer for further review.
- Correspondence from Adam Ziccardi of Chestnut Ridge Road, Orchard Park, sent a letter to the Supervisor regarding a ban on hunting in Orchard Park and the likelihood of stirring a debate that could cause massive costs to taxpayers of Orchard Park if people do not use their common sense. Over the years across our nation, peoples' emotions have gotten the better of their decisions and their townships have paid for it. Also, funds generated by responsible licensed hunters have kept deer herds under control and thus our properties and vehicular traffic are safer in the process.

**Reports:**

- Chief of Police's Monthly Report for the month of October, 2010
- Building Inspector's Monthly Report for the month of November, 2010.

**The resolution was unanimously adopted.**

There being no further business, on motion by Supervisor Colarusso, seconded by Councilman Graber, the meeting was adjourned at 7:53 PM (local time).

**Respectfully Submitted,**

*Carol R. Hutton*

**Carol R. Hutton  
Town Clerk**

