

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 2nd day of July 2008 at 7:00 PM. The meeting was called to order by the Supervisor and there were:

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|--------------------------------------------------|------------------------|
| PRESENT AT ROLL CALL: Mary Travers Murphy | Supervisor |
| Nancy Ackerman | Councilwoman |
| David Kaczor | Councilman |
| Mark Dietrick | 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 |
| ABSENT: Edward Graber | Councilman |

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.*

Hans Mobius of the Erie County Farm Bureau came to the meeting tonight to honor the Town of Orchard Park for recognizing the importance of farming in this area and to thank the Town Board for passing the Right to Farm Legislation.

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

RESOLVED, that the minutes of the Meeting of the Town Board held on June 18, 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 7:00 PM (local time), the Supervisor called for the Public Hearing to hear all interested parties for or against the designation of Edgewood Farms "Harry Yates" main barn, the attached two ceramic silo structures and site, located at 7295 Jewett-Holmwood Road, in the Town of Orchard Park, NY 14127, as a Historic Landmark.

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.

At this time the Supervisor asked if there was anyone in the audience for or against the designation.

Opponents – No one spoke.

Proponents

Dan Ransom – Mr. Ransom is representing the Orchard Park Historic Preservation Board, who recommends that the Town Board adopt a resolution recognizing and designating this property as a local landmark, as it embodies Orchard Park’s agrigarian heritage, and fulfills all the mandates of historic preservation for landmark status. He then outlined the history and design of the Harry Yates home, farm, and other structures.

Mark Bellis – Mr. Bellis is in favor of this legislation, particularly as a land use issue, for open space and maintaining that type of character in Orchard Park.

Suzanne Kulp – Town Historian and Vice Chair of Historic Preservation Board. Ms. Kulp stated this is one of the biggest functioning barns in New York State, representing the agricultural endeavurers that once flourished in Orchard Park, which are gradually diminishing. Ms. Kulp stated that this farm could be profitable as a stable, as people are continually looking to stable their horses in this area.

Frank Austin – Mr. Austin referenced Mark Goldman’s book, “City on the Edge” – “Buffalo and Western New York has a wonderful history of destroying antiquity”. He hopes that the Town Board would learn from history and to do things in a positive way.

Michele Tiburski – Ms. Tiburski stated that this property is a historic landmark and is also a working stable. Open stables are a premium in this area, this barn should be kept open and active.

Patrick Keem – Mr. Keem in favor of keeping the Yates barns up and viable.

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

RESOLVED, that the Public Hearing to hear all interested parties for or against the designation of property located at 7295 Jewett-Holmwood Road, in the Town of Orchard Park, as a Historic Landmark, is hereby closed at 7:26 PM (local time).

The resolution was unanimously adopted.

Old Business #1 Authorize Special Exception Use Permit for Meadow Woods Townhouses

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

WHEREAS, a Public Hearing was held on May 21, 2008 for 14.34 acres of vacant property located on California Road.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby approve of the request for a Special Exception Use Permit for Walter Schmidt, Proposed “Meadow Wood Townhouses”, 14.34 acres of vacant land on California Road, Zoned R-3, based on the following:

- This is a Type I Unlisted SEQR Action based on the submitted Full EAF Parts 1 and 2. A negative declaration is made.

- Fees shall be paid in accordance with Section 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 on the development plans dated 3/18/08 and shall revert to its original Zoning Classification if the project is not completed per Section 144-67 of the Town Code.
- The proposed project is in compliance with the Town's long range comprehensive plan.
- 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.
- The applicant previously has demonstrated an orderly flow of traffic ingress and egress; recommend that the Town Board review and verify this issue.
- The applicant has provided suitable parking facilities.
- Landscaping as indicated on the proposed plan will provide adequate screening.
- Free area for recreation is not required.
- The nearness and impact on schools and utilities is not an issue.
- The health and safety of adjacent properties is not affected.

The resolution was unanimously adopted.

New Business #1 Supervisor to Sign Agreement w/Empire GEO Services, Inc.

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

WHEREAS, the Town has received a purchase agreement for the Holmes & Murphy Property adjacent to the corner of Duerr Road and Thorn Avenue, in association with the potential purchase a site investigation must be performed prior to closing on this land acquisition in April of 2009, and

WHEREAS, the Town Engineer has negotiated a scope of work and fee for professional services with Empire GEO Services, Inc. The scope of work is to complete a Modified Phase I Environmental Site Assessment (ESA) to evaluate the potential for possible environmental degradation, which may have occurred as a result of the use, storage or disposal of compounds / materials at the property or from surrounding adjacent sites, and

WHEREAS, the work is divided into four tasks, Determining Existing Site Conditions (one day of geoprobe or backhoe soil sampling), Review of Site History, Regulatory Agency Inquiry, and Data Evaluations/Final Report. The Modified Phase 1 Environmental Assessment including geo-probe (backhoe) sampling and report will be completed for the lump sum of \$2,500.00. Field work is scheduled to be completed in April of 2009.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the Supervisor to sign an agreement with Empire GEO Services, Inc., 5167 South Park Avenue, Hamburg, New York 14075 to provide professional services to complete a Modified Phase I Environmental Site Assessment at the +/- 6-Acre Site Holmes & Murphy Property adjacent to the corner of Duerr Road and Thorn Avenue for a lump sum fee of \$2,500.00, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #2 Appointment to Truck Driver for Sewer, Water & Lighting Dept.

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

WHEREAS, As discussed at your work session of May 28, 2008, the retirements of Gus Ehlers and Don Wittrock have created a shortage of an operator and truck driver within the Sewer, Water & Lighting Department, and

WHEREAS, in the past, the department has operated with six permanent employees, supplemented by a seasonal employee during the summer months. Since September 2001, we have operated, for the most part, with four permanent employees and two summer help positions. With the scheduled surgery of the Assistant Crew Chief, it is necessary to address the need for a permanent truck driver position for normal day to day operations and emergency call outs, and

WHEREAS, per the Town Board work session and in accordance with provisions of the CSEA collective bargaining agreement, notices of the promotional truck driver opening were posted in the Sewer, Water & Lighting Department and Highway Department in Highway, and Town Hall. There has been no other formal announcement or advertisement of the vacant promotional position, and

WHEREAS, in response to the job posting, one of the Sewer, Water & Lighting Department's current employees requested consideration for a promotion to Truck Driver position, and

WHEREAS, the position is classified as non-competitive civil service title by the Erie County Personnel Department. Only one applicant signed for consideration for the position. An interview was conducted with the interested candidate by the General Crew Chief and subsequently by the Town Engineer, and

WHEREAS, after consultation with Rick Buss, I have concluded that Jim Putnam should be promoted from Laborer to Truck Driver. Jim has been with the Department since 2001. He is a dedicated employee of the Town and has demonstrated the necessary work ethic and skills that are required for this position. He has also acquired the necessary CDL license with tanker endorsement.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the appointment of Mr. James P. Putnam, 2095 Transit Road, Elma, NY 14059 to the position of Truck Driver in the Sewer, Water & Lighting Department at Job Level 2, Step F of the current wage schedule for CSEA Local Unit 815 effective June 30, 2008, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #3 (Tabled) Appoint summer staff to Sewer, Lighting & Water Department.

New Business #4 Town Board Increases Mileage Rate for the Town Personnel/Private Vehicles

The Town Board did increase the mileage rate from \$.42 per mile to \$.50 per mile for the Town Personnel when their private vehicles are used for official business at the last work session.

New Business #5 Appointment of Joe Wehrfritz to Lieutenant in the OP Police Department

6) 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 appoint Joseph Wehrfritz to the Position of Lieutenant in the Orchard Park Police Department, effective July 19, 2008, as recommended by the Chief of Police, Andrew Benz.

Chief Andrew Benz stated Mr. Wehrfritz has been with the Orchard Park Police Department for almost 21 years and as a detective for the last 14 years. He has been on the Emergency Response Team since its inception and Deputy Commander for the last three years. Joe has received several awards including the outstanding performance in Law Enforcement, and holds certifications as an instructor in several police topics. Chief Benz stated that he looks forward to working with Joe as a Supervisor in the Police Department. Joe is joined by his wife Karen and his children Margaret, Tom and Alex this evening.

The resolution was unanimously adopted.

New Business #6 Supervisor to sign "Memorandum of Understanding" (White Collar Unit)

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

WHEREAS, it is agreed between the Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO on behalf of the Town of Orchard Park, White Collar Unit (hereinafter referred to as "the Union") and the Town of Orchard Park (hereinafter referred to as "the Town") to the following:

1. The position of Dog Control Officer will be included in the above Collective Bargaining Unit, effective June 4, 2008. (Ratification by both parties).
2. There shall be two salary ranges for Dog Control Officer, Range 6, Dog Control Officer 1 and Range 11 – Dog Control Officer 2.
3. Dennis Buczkowski shall receive the E salary step in Range 2, effective the date in paragraph 1.
4. Dennis Buczkowski shall not be entitled to any of the provisions within the above Collective Bargaining Agreement until the effective date in paragraph 1 and nothing shall be retroactive.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the supervisor to sign the "Memorandum of Understanding" between the Civil Service Employees Association, Inc. Local 1000, on behalf of the Town of Orchard Park White Collar Unit for the position of Dog Control Officer.

Councilman Dietrick stated he would be voting against this motion for he feels the Dog Control position should be part-time, or contracted out.

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

The resolution was duly adopted.

New Business #7 Supervisor to sign “Memorandum of Understanding” (CSEA Dental Plan)

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

WHEREAS, the current collective bargaining agreement by and between the parties provides for a self insured Dental Plan (Article 32.06 and Appendix C), and

WHEREAS, the parties wish to amend the provisions of the collective bargaining agreement to provide for the CSEA Employee Benefit Fund Horizon Dental Plan.

NOW, THEREFORE, BE IT AGREED, the following:

- The current language contained in Article 32.06 of the collective bargaining agreement by and between the parties shall be replaced with the following; “The Employer agrees to provide, at no cost to the employee, the CSEA Employee Benefit Fund Horizon Dental Plan.”
- The current language contained in Appendix C of the collective bargaining agreement shall be deleted as the CSEA Employee Benefit Fund Horizon Dental Plan will replace the provisions contained with the Appendix.

RESOLVED, that the Town Board does hereby authorize the Supervisor to sign the “Memorandum of Understanding” between the Town of Orchard Park and the Civil Service Employees Association, Inc., for the CSEA Employee Benefit Fund Horizon Dental Plan.

The resolution was unanimously adopted.

New Business #8 (Tabled) Town Board to appoint fulltime Clerk Typist Position, to the Assessors office,

New Business #9 Placement of Temporary Sign for the Horizons Home Show/Birdsong Subdivision

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

RESOLVED, that the Town Board does hereby approve the request of Buffalo Niagara Builders Association to place a temporary sign for the Horizons Home Show in the Birdsong Subdivision, sign to be 4’ x 8’ placed at the entrance to the Birdsong Subdivision on Town property, from July 9 – July 28, 2008, as recommended by the Building Inspector.

The resolution was unanimously adopted.

New Business #10 NYSEG to Connect Light Fixtures in the Birdsong Sub., Part 3A, Phase 4B

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

WHEREAS, the Engineering Department has received a proposal from NYSEG for the connection of three (3) decorative street light fixtures on Woodthrush Trail in the Birdsong Subdivision. At present, there are six (6) single family homes still under construction in this subdivision of the 10 subplot subdivision, and

WHEREAS, the 70-watt H.P.S. luminaires, poles, conduit and wire, which are owned by the Town, were installed under PIP # 2007-02. NYSEG will maintain the bulbs, and the electric eye of the luminaires. The supply of electricity is not included in the price as the Town purchases their electricity from another supplier. The proposal is for a total of three (3) luminaries to be connected at an annual charge of \$24.32 each; totaling annually \$72.96.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize NYSEG to connect a total of three (3) 70-watt high-pressure sodium decorative light fixtures on Woodthrush Trail in the Birdsong Subdivision at an annual increased cost of \$72.96 to the Consolidated Light District in accordance with the attached NYSEG proposal dated July 1, 2008, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #11 Resolution in Support of the Buffalo-Pittsburgh Railway to a Pedestrian Trail

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

WHEREAS, a goal of the Town of Orchard Park Comprehensive Plan is to provide a safe and efficient transportation network that compliments the existing town atmosphere, and

WHEREAS, a goal of the Town of Orchard Park Comprehensive Plan is to increase the opportunities for bicycling and walking in the town to reduce automobile dependency and promote healthy recreation, and

WHEREAS, a goal of the Town of Orchard Park Comprehensive Plan is to work with local county and state jurisdictions, to enhance walking and bicycling opportunities, and

WHEREAS, a goal of the Town of Orchard Park Comprehensive Plan is to identify and connect open space corridors for use as bicycle paths and walkways, and

WHEREAS, a goal of the town of Orchard Park Comprehensive Plan is to link community assets and destinations with pathways to improve connectivity, and

WHEREAS, a goal of the town of Orchard Park Comprehensive Plan is to address environmental impacts caused by roadway expansion, and

WHEREAS, a goal of the town of Orchard Park Comprehensive Plan is to provide safe access to schools, Parks, and community center for citizens of all ages, and

WHEREAS, the Town of Orchard Park Trails Task Force continue to plan and develop an interconnected system of pedestrian pathways within the town

NOW, THEREFORE, be it

RESOLVED, that the Town Board does strongly support the Town of Orchard Park's participation in the conversion of the Buffalo-Pittsburgh Railway to a Pedestrian Trail.

The resolution was unanimously adopted.

New Business #12 Refer to the Planning Board and/or Conservation Board

12) 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:

- Jack Bertsch, 3853 North Buffalo Rd. Zoned B-3: Requesting a Change-In-Use for a residential home to be converted to retail/office use. Councilwoman Ackerman stated that in accordance with the moratorium in place, the site plan has not changed.
- Diane DeMarco, 3964 California Rd., was referred to the Planning & Conservation Board at the last work session.

The resolution was unanimously adopted.

Business from the Floor

Katherine Gorkiewicz – She feels that the change in the minutes, pertaining to the citizens remarks during Business from the Floor, is unacceptable. (Statement submitted.)

Ed Flynn – He feels that the Town Government is getting less responsive to the citizens it represents, first the Rules of Decorum, now the Business from the Floor will be abbreviated. (Statement submitted.)

Chris Willet – He feels an official record of what citizens have said during the open part of the Town Board meetings should be recorded in the official minutes.

Dave Schuster – He expressed his displeasure in the reduced Business from the Floor recording of the people who expressed their opinions at the Town Board meetings. (Statement submitted.)

Jane Schumaker – She feels the citizens are being systematically silenced and citizen's remarks from the floor need to be recorded. She feels the Town Board meetings should be recorded and televised. (Statement submitted.)

Ron Stadelmaier – He discussed his opposition to the Town Board minutes containing minimum information from citizens during business from the floor. He also asked the Town Board members to comment on it. (Statement submitted.)

John Marlow – He stated the Fire Commissioners said they are putting in heated pads and sidewalks at the Orchard Park Fire Hall for the safety of schoolchildren. The heated pads were put in place, but not the sidewalks. (Statement submitted.)

Richard Arndt – He feels the citizens statements need to be heard and recorded in the Town Board minutes. (Statement submitted.)

Lou Boehm – He stated people who come to the Town Board meetings for just one issue, should also stay and pay attention to the other issues brought up at the meetings. He believes the citizen's will suffer major consequences due to increased traffic if Wal-Mart is built.

Marsha Kochan – She is opposed to Wal-Mart, based on traffic, what will happen to the area, how it will impact local businesses, ambiance, and Wal-Mart's history of abandoning stores and not caring about communities. (Statement submitted.)

Mary Ann Grenda – She is disappointed with change of policy in the way the Town Board meetings are recorded. (Statement submitted.)

Deborah Yeomans – She stated the citizens of the Town are not given an adequate voice in Town Board meetings and minutes any longer.

Elected Officials & Department Heads

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

WHEREAS, the Town needs to adjust the budget for 2008 consolidated highway improvement program aid from \$99,358.00 to \$120,868, and

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the following Budget Amendment to appropriately adjust the amount of aid to be received and authorize additional appropriations for road improvement purposes.

Highway Fund

Increase estimated revenues:

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|-------------------------------------------|----------|
| DA3501.005 State Aid – C.H.I.P.S. Program | \$21,510 |
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Increase Appropriation account:

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|------------------------------------------|----------|
| DA5112.200 Highway – Improvement Program | \$21,510 |
|------------------------------------------|----------|

WHEREAS, the Town has experienced significant increase in the cost of gasoline and diesel fuel, and

WHEREAS, the Town's estimated revenues from sales taxes are currently above those estimated in the 2008 adopted budget,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the following amendment in the General and Highway Funds to provide for the increase cost of such

General Fund

Increase estimated revenues:

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| A1120.000 Sales Tax | \$35,000 |
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Increase appropriation accounts:

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|-----------------------------|----------|
| A3120.475 Police – Gasoline | \$30,000 |
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|---------------------------------------|----------|
| A7020.463 Recreation – Transportation | \$ 5,000 |
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Highway Fund

Increase estimated revenues:

DA1120.000 Sales Tax \$50,000

Increase appropriation account

DA5110.416 Highway – Fuel, Oil \$50,000

The resolution was unanimously adopted.

Supervisor Travers Murphy stated the Town Board has not discussed the meeting minutes as a group, but that she thinks the Town Clerk has done a great job for the last 2 ½ years and she has found the minutes to be helpful when she refers to them. She also feels the meetings should be televised, and said Verizon and Time Warner are willing to do this for the Town.

Councilwoman Ackerman stated it is important to have an open government, and an opportunity for people to speak and to express their opinion. But, the civility of the Town Board meetings declined through the last year, and in order to prevent altercations during meetings the Town Board decided to impose measures that would help keep the meetings civil. This puts the Town Board on the defensive, as individuals can get up and say anything they want, but the Board members will not respond. As to the minutes, they are a record, not a transcript. She feels the Town Clerk works hard to try to present a fair and objective record of what happens at the meetings. In review of the last set of minutes approved, each persons name was stated, the subject they were there on, and their opinion, was stated

Councilman David Kaczor wished to remind everyone that the 4th of July parade. He thanked all who helped with the Triathlon that was held last weekend, which was a huge success. Councilman Kaczor said that he spoke to the Town Clerk regarding the minutes and encouraged her to talk to other Town Clerks who deal with the same issue of a large amount of input from the community. The minutes that everyone reacted to were truncated versions of the minutes, but he said that in reviewing the minutes approved this evening, they are more in tune with identifying individuals, along with the issue the individual brought to the table, and he hopes the minutes as reflected today will continue.

Councilman Dietrick stated that he had no prior knowledge, nor has not been part of any discussion regarding the change in the minutes. It is his understanding, that as a separate elected official, it would be inappropriate for the Town Board to put pressure on the Town Clerk. On the issue of televising the Town Board meetings, he said he is not in favor of free political advertisement for politicians at tax payers expense.

Town Clerk, Janis Colarusso, stated that almost everyone that spoke from the floor this evening has handed in a copy of their statement, and that is what she had previously asked individuals to do. The comments will be copied to the Town Board members and filed in the Town Clerk's office. She then read a prepared statement in which she outlined the law regarding minutes and how other Town Clerk's within Erie County handle citizens' remarks at the Board meetings. She stated that she will list peoples' names, their issues and their opinions, and prepare the minutes in truthful, honest and professional manner in accordance with New York State Law.

14) 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 approve the request from the Village to display a banner advertising the Ice Cream Social on July 25th and the Street Dance on July 26th on Town property in front of the Town Hall.

The resolution was unanimously adopted.

Police Chief Andy Benz stated that he attended a meeting regarding the Rt. 20 reconstruction project and brought some of the citizens concern to the State. They expect to be pouring curbs and sidewalks by next week, and within a few weeks they should have three lanes open at the Abbott intersection. They also assured him that by the time the stadium events start, all lanes of traffic will be open.

Highway Superintendent Fred Piasecki stated that he was notified by the County that the Freeman Road bridge construction will be starting 7/7/08 and the road will be closed from 20A to Jewett Holmwood Rd. and will be finished by 12/2008. He outlined the Highway department paving projects. The C.H.I.P.S. project this year will be Angle Road. He also stated that the Lilac Bush in honor of Bob Bindig, a Orchard Park resident and accomplished cartoonist, was planted next to the Jolls house.

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

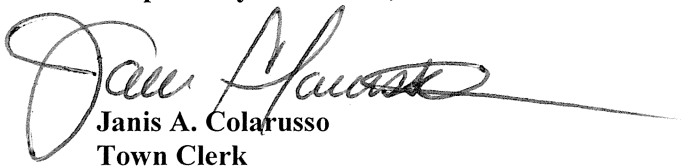
RESOLVED, that the Town Board does hereby authorize the approval of all entries on Warrant #13 following auditing by members of the Town Board and in the funds indicated:

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| General Fund | \$167,190.53 |
| Part Town Fund | \$7,234.29 |
| Risk Retention | \$0.00 |
| Cemetery Fund | \$0.00 |
| Highway Fund | \$87,394.02 |
| Special Districts | \$26,340.41 |
| Trust & Agency | \$5,945.28 |
| Capital Fund | \$64,407.95 |

The resolution was unanimously adopted.

There being no further business, on motion by Supervisor Travers Murphy, seconded by Councilman Kaczor, to wit, the meeting was adjourned at 8:33 PM (local time).

Respectfully Submitted,


Janis A. Colarusso
Town Clerk

