

Public Hearing

A Public Hearing was held January 13<sup>th</sup>, 2011 at 7:30 pm at the Marilla Town Hall, 1740 Two Rod Road, Marilla, New York. The purpose of the hearing was to listen to public comment on an application for a flag lot at property located on Two Rod Road north of Clinton Street with the section block and lot number of 129.00-6-5.111, currently owned by Leon Berner. The approximate size of the proposed flag lot is 2.89 acres. The Town Clerk published the notice of the public hearing in the Alden Advertiser, the Elma Review and the East Aurora Advertiser as well as posting it on the Official Bulletin Board pursuant to the provisions of the Town Law. Officials present were:

George Gertz, Supervisor  
Barbara Spanitz, Councilwoman  
Warren Handley, Councilman  
Elizabeth Ackerman, Councilwoman  
Donald Darrow, Councilman

Approximately (14) persons were in attendance. Supervisor Gertz asked if there was any interested person who desired to be heard.

Resident Mary Earsing from Two Rod Road asked if she would still be able to get back to her gas well?

Resident Gail Buehlman asked where it was located on Two Rod Road and how many flag lots were going in.

Supervisor Gertz responded to the questions and explained what is allowed per the code book.

Hearing no further comment the public hearing was closed at 7:36 pm.

Respectfully submitted,

\_\_\_\_\_, Town Clerk

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The regular organizational meeting of the Marilla Town Board was held on Thursday, January 13, 2011 at 7:37 p.m. at the Marilla Town Hall, 1740 Two Rod Road, Marilla, New York. Officials present were:

George Gertz, Supervisor  
Barbara Spanitz, Councilwoman  
Warren Handley, Councilman  
Elizabeth Ackerman, Councilwoman  
Donald Darrow, Councilman

Supervisor Gertz called the meeting to order and the Pledge of Allegiance to the Flag was given. Supervisor Gertz gave a welcoming message:

He welcomed everyone to the 2011 organizational meeting. He stated that the final numbers for 2010 were not in yet but the Town did end the year under budget. He said sales tax revenue was up from what was anticipated. There will be some changes on the Board, he is planning on moving people around, they hired a new attorney this year as well. He said that the Town was audited last year at his request and several items had to be addressed, they met all the requirements and made the appropriate changes. They are now bidding out Engineering, Attorney, Health Insurance and liability Insurance. He explained this year Engineering and Attorney services will be paid at an hourly rate and not a flat rate as in the past. Therefore they will not be attending Meetings when they are not needed. Next year they will be working on the Farmland Protection Plan and the Town's Comprehensive Plan.

### Communications

Communications were received and read from:

- a. Association of Towns regarding the Training School & Annual Meeting to be held this year in New York City on February 20-23, 2011.
- b. Marilla Grill notified the Town that they applied to renew their liquor license.
- c. Request for appointments from; Jennifer Strong, Scott Rider, Joseph Nuttle, Thomas Whiting, Lisa Wojcik, Leonard Janiga.

### Committee Reports

Highway Superintendent Ronald Unverdorben was absent from the meeting due to a structure fire on East Blood Road.

Councilwoman Spanitz reported that the Library Board had a meeting on January 11<sup>th</sup> and their next meeting would be held on February 6<sup>th</sup>. She reported that some of the Library's budget had been restored by the County.

Councilman Handley read a written statement that he requested be recorded in the minutes as follows:

As Chairman to the Christmas in Marilla Program I would like to thank the following. I apologize in advance if I left anyone out:

I would like to thank the town clerks for all their help the day of the program and for many hours spent on town time, putting decals on Christmas Ornaments (The residents loved them). I would like to also thank Ron Unverdorben for the creativity and many hours he and his men in Highway and Sanitation put in to the program. Hats off to Clayton Ricketson and Hwy and Sanitation for their talents that never seem to end in building Santa's Mailbox and Santa's Room. (Santa was very appreciative). I would also like to thank the many Churches, Business, Residents and Youth Organizations that donated, or was a part in the program.

The following is a list of what it takes to put on the Christmas in Marilla program. I would like to once again thank all for their part in the program! The list reads as follows, thank you to; Garden Mart Nursery (Christmas Trees), Allied Sportsmen Club (donation) The Marilla General Store (donation), Kodiak Jacks (hot dogs)

The Marilla Self Storage (donuts), The Marilla United Methodist Church (free coffee and pie slices), The First Baptist Church of Marilla and Joanna Vandercamp the Puppeteers and their puppet shows and the volunteers for the live nativity scene. The Williston United Methodist Church (cookies & crafts), Brad Wurthner, Ron Unverdorben and the Marilla Fire Company (letters to our soldiers and Fire Co. tours) The Time Warner Ice Rink in East Aurora for skates for the ice rink, thank you Dawn Pearce for the idea., Dawn Enterprise (signs) job well done, Earl Gingerich (tractor, hay wagons and rides), Blair's Farm (tractor and hay rides), Marilla Car Show (decorations) Kiwanis Club of Marilla (Pavilion tree and ornaments for the tree) thanks to Lynn Parry current President, Kim Parker (photos, flyers, letters, song sheets etc. (Thank you Kim) Jim and Debbie Beats (great ideas and help), Beth Ackerman and Family organizing Youth volunteers from Iroquois, Kandy Wittmeyer and Family (crafts, hayrides, set up) glad you found the missing crayons someone was hiding, Jack, Judy, Julie and JD Farmer Family (setup, refreshments, hot chocolate, puppets), All the Residents on West Avenue for decorating trees in front of their homes, Regina Burke Principle at Marilla Primary, teachers and students (tree decorations), 4 Lads and Lassies (Crafts & Trees) 290 Boy Scouts (tree), 290 Cub Scouts (tree), Iroquois Base Ball, Sally Bender thank you from Mrs. Claus, Santa for making his way to Marilla to meet with our children, The Town Board for giving me permission to go over on my budget to help enhance the program for the residents in our Town. Most of all the Committee that did an outstanding job putting this whole program together without their help we would never have the outstanding program that we have. No one person can take credit for what the above offered to our residents that made Christmas in Marilla. And last but not least the Town Residents that take part in the Norman Rockwell Moments that we try to create with the Town of Marilla Concert Series. If there is any resident that is interested in becoming a member to our concert committee please contact me, Councilman Warren Handley at 652-2278. Please note at my expense Shutter Dream Studios put together a video on Christmas in Marilla. To see it google You Tube or Vimeo web sites and type in Christmas in Marilla, then click the site. See if you or anyone you know is in the video and see this well done production by Shutter Dream Studios.

Councilwoman Ackerman reported that the Historical Society will be having their next meeting January 24<sup>th</sup>.

Councilman Darrow reported that the CAB did not meet last week they will be having their January meeting on Thursday the 27<sup>th</sup>. He attended a Car Show Meeting yesterday, it was the first meeting, he said if anyone would like to become a sponsor to contact Vinney or Don.

Supervisor Gertz reported that he attended the Car Show Meeting last night, he said the Car Show is the second largest fund raiser for Mercy Flight. He said that Mercy Flight just purchased their first brand new Helicopter.

**Open Board Presentations From the Public**

None

**Old Business**

Motion: Councilwoman Spanitz moved, seconded by Councilman Handley to approve the minutes of the Regular Board Meeting held on 12/9/10 and the Settlement Meeting minutes of 12/28/10. Motion Carried.

**New Business**

Motion: Councilman Handley moved, seconded by Councilman Darrow to appoint Laura Nuttle and Mary Furman as Assessor Clerks for 2011 and pay according to the adopted clerkø pay scale. Motion Carried.

Motion: Councilman Handley moved, seconded by Councilwoman Ackerman to appoint Attorneys for the Town as follows; Joel Kurtzhalt of Bennett , DiFilippo & Kurtzhalt for daily business and litigation, and Berkowitz for assessment litigation for 2011. Motion Carried.

Motion: Councilman Handley moved, seconded by Councilwoman Spanitz to appoint Scott Rider as Building Inspector and CEO for 2011. Motion Carried.

Motion: Councilman Handley moved, seconded by Councilman Darrow to appoint Joseph Nuttle as Deputy Building Inspector and CEO for 2011. Motion Carried.

Motion: Councilman Handley moved, seconded by Councilwoman Ackerman to appoint Thomas Whiting as Town Constable for the Town for 2011. Motion Carried.

Motion: Councilman Darrow moved, seconded by Councilwoman Ackerman to appoint Debbie Beats and Lisa Wojcik as Members on the Conservation Advisory Board to a 2 year term to expire on 12/31/2012 and appoint Roger Gustavel as Chairman for 2011. Motion Carried.

Motion: Councilman Handley moved, seconded by Councilwoman Spanitz to appoint Fran Osborne as Clerk to the Conservation Advisory Board for 2011. Motion Carried.

Motion: Councilman Handley moved, seconded by Councilman Darrow to appoint Dawn Stover as Court Clerk for 2011 and pay according to the adopted clerkø pay scale. Motion Carried.

Supervisor Gertz appointed Donald Darrow as Deputy Supervisor

Motion: Councilman Handley moved, seconded by Councilwoman Spanitz to appoint Donald Roesch to the position of Dog Control Officer for the year 2011. Motion Carried.

- Motion: Councilwoman Ackerman moved, seconded by Councilman Darrow to appoint Sharon Foersch as Assistant Dog Control Officer for 2011. Motion Carried.
- Motion: Councilman Handley moved, seconded by Councilwoman Ackerman to appoint Paul White to the position of EMW Representative for the year 2011. Motion Carried.
- Motion: Councilman Darrow moved, seconded by Councilman Handley to appoint Nussbaumer & Clarke, Inc. as Engineers and Planners for the Year 2011. Motion Carried.
- Supervisor Gertz re-appointed Hubert Kutter as Town Historian and Jeff Lewinski as Deputy Town Historian.
- Motion: Councilman Darrow moved, seconded by Councilwoman Spanitz to appoint Lorraine Martzolf as a Member of the Planning Board for a 7 year term to expire on 12/31/2017 and Jay Walkowiak as Chairman and Vincent Beisiegel as Vice Chairman for 2011. Motion Carried.
- Motion: Councilman Handley moved, seconded by Councilman Darrow to appoint Melissa Stark as Planning Board Clerk for the year 2011 and pay according to the adopted clerk's pay scale. Motion Carried.
- Motion: Councilman Handley moved, seconded by Councilwoman Ackerman to appoint Nussbaumer & Clarke, Inc. as Consultants to the Planning Board for the year 2011. Motion Carried.
- Motion: Councilwoman Ackerman moved, seconded by Councilwoman Spanitz to appoint Dawn Pearce as Registrar of Vital Records. Motion Carried.
- Motion: Councilwoman Spanitz moved, seconded by Councilman Handley to appoint Sara Bender as Deputy Registrar of Vital Records. Motion Carried.
- Motion: Councilman Handley moved, seconded by Councilwoman Ackerman to appoint Helen Bourgeois as Senior Citizen Rec. Attendant/ Trip-Coordinator for 2011 and receive salary according to the budgeted amount. Motion Carried.
- Motion: Councilwoman Spanitz moved, seconded by Councilman Darrow to appoint Ronald Unverdorben as Superintendent of the Park and Sanitation Department for the year 2011. Motion Carried.
- Motion: Councilman Handley moved, seconded by Councilman Darrow to appoint Jennifer Strong as Town Prosecutor for 2011. Motion Carried.
- Motion: Councilwoman Spanitz moved, seconded by Councilman Handley to appoint Bonnie Mather as Tri-Town Recreation Director for the year 2011. Motion Carried.
- Motion: Councilwoman Ackerman moved, seconded by Councilman Handley to appoint Leonard Janiga to the Zoning Board of Appeals to a 5 year term to expire 12/31/2015 and appoint John Janis as Chairman and Paulette Schloss as Clerk to the Zoning Board of Appeals for 2011 and pay according to the adopted clerk's pay scale. Motion Carried.
- Motion: Councilwoman Ackerman moved, seconded by Councilman Darrow to designate Alden State Bank, JP Morgan Chase, Fire Service Agency Inc. as depositories and Municipal Solutions as fiscal advisor for Water District 5 and Capital Market Advisor for Fiscal Advisor for the Town of Marilla Funds for the Supervisor and Alden and M&T Banks for the Town Justices and to designate JP Morgan Chase Bank for the Town Clerk's Office for the year 2011. Motion Carried.

Motion: Councilman Darrow moved, seconded by Councilwoman Ackerman to establish a petty cash fund in the amount of \$400.00 for the Town Clerk's combined Office. Motion Carried.

Motion: Councilwoman Ackerman moved, seconded by Councilman Darrow to approve the salaries and benefits for the Highway, Sanitation and General Fund full time employees. Motion Carried.

Motion: Councilwoman Ackerman moved, seconded by Councilman Darrow to adopt the pay scale for employees with one, two and three year service to the town with one grade for each job classification. Pay scale as follows:

	1 <sup>st</sup> Year	2 <sup>nd</sup> Year	3 <sup>rd</sup> Year
Clerk of Boards	\$ 11.92	\$ 13.24	\$ 14.47
Clerk Regular	\$ 12.61	\$ 13.91	\$ 15.15

To Adopt Salaries as follows;

Supervisor	\$ 31,400.00
Councilman (4)	8,964.00
Assessor	18,000.00
Town Clerk	44,772.00
Highway Superintendent	54,028.00
Sanitation Superintendent	7,436.00
Park Superintendent	2,002.00
Town Justice	13,200.00
Building Inspector	16,260.00
Deputy Building Inspector	7,056.00
Senior Citizen Recreation Attendant	1,608.00
Town Historian	1,560.00
Registrar	900.00

Motion Carried.

Motion: Councilman Darrow moved, seconded by Councilwoman Spanitz to approve the following pay rates for other employees;

Assessment Review Board - \$85 Chairman, \$70 members

Dog Control Officer - \$16.69 per hour as needed

Assistant Dog Control Officer - \$14.71 per hour as needed

Attorney for Town - \$150 an hour

Cleaning at Town Hall & Community Center ( \$160 per visit)

Constable for the Town - \$25 per summons

Laborers ó \$12.69 an hour

Town Prosecutor - \$120 an hour

Boards (Zoning Bd of Appeals, Planning Bd, CAB Bd) - \$44 Chairman, \$31 member

Motion Carried.

Motion: Councilman Handley moved, seconded by Councilwoman Ackerman to authorize the Highway Superintendent to purchase equipment, tools, etc. without prior approval of the Town Board in the amount of the budgetary provision and not to exceed the appropriated amount in the 2011 budget according to Town Law. Motion Carried.

Motion: Councilman Darrow moved, seconded by Councilwoman Spanitz to authorize the Supervisor to prepay utilities, postage, tipping fees, thruway tolls, charge cards, insurance, medical, ADP and other bills that do not exceed \$1000. Motion Carried.

Motion: Councilwoman Ackerman moved, seconded by Councilman Handley to establish a mileage allowance of \$.45 per mile for the Supervisor, Councilmen, Town Justices, Town Clerk, Assessors, Code Enforcement

Officers, Dog Control Officers, Bookkeeper, Justice Clerk in the performance of their duties ( including dog damage cases) for the year 2011 and to keep a log of mileage as used in order to be paid. Motion Carried.

Motion: Councilman Handley moved, seconded by Councilman Darrow to adopt the following Resolution: RESOLVED that the Alden Advertiser and Elma Review (to be published in both the East Aurora Advertiser and Elma Review for the same price as solely the Elma Review) be named as the official newspapers for the Town for the year 2011. Motion Carried.

Motion: Councilman Handley moved, seconded by Councilwoman Ackerman to authorize the Supervisor to pay various organizational dues for the year 2011. Motion Carried.

Motion: Councilman Darrow moved, seconded by Councilwoman Ackerman to retain the services of Kotas and Kotas, Accountants at an annual cost of \$9,600.00 for general accounting and \$1300 for the preparation of the Annual Update Document, in addition a fund specific audit statement for Water Districts 2,4 & 5 for \$1,500 per fund. Motion Carried.

Supervisor Gertz appointed the following work committees:

**Councilwoman Spanitz:** Auditing claims , affirmative Action Officer, , Library, Historical Society, Cemetery.

**Councilman Handley:** Auditing Claims, Memorial Day & Veterans Day, Pavilion Concert Committee, Justice Audit.

**Councilwoman Ackerman:** Auditing Claims, Planning Board Liaison, Fire Service Award, Youth.

**Councilman Darrow:** Auditing Claims, NEST Board , Liaison to CAB Board, Park, Justice Audit, Cemetery.

**Supervisor Gertz:** HUD, Insurance, Disaster/ Traffic & Safety along with **Dave Unverdorben**, PACE, Technology, Justice audit.

Motion: Councilwoman Ackerman moved, seconded by Councilman Darrow to accept the calendar of dates and times of Town Board Meetings and Work Sessions for 2011. Motion Carried.

Motion: Councilman Darrow moved, seconded by Councilwoman Ackerman to appoint Dave Wyzykowski as the Town's Youth Court Representative. Motion Carried.

Motion: Councilman Handley moved, seconded by Councilwoman Ackerman authorize town employees to attend annual seminars at a cost not to exceed \$750. Motion Carried.

Motion: Councilman Darrow moved, seconded by Councilman Handley to authorize the Code Enforcement Officers to attend annual seminar. Motion Carried.

Motion: Councilman Darrow moved, seconded by Councilman Handley to adopt the Rules of Conduct for Town business and Town meetings. Motion Carried.

Motion: Councilman Darrow moved, seconded by Councilman Handley to approve the following resolution for renewal of Special Use Permits;

WHEREAS, a number of special use permits are issued by the Town of Marilla subject to annual review and approval or subject to revocation; and

WHEREAS, the Town Board has discussed the special use permits

with the Code Enforcement Officer and has determined that all the properties are operating substantially in accordance with the requirements of the special use permits and that there have been no complaints.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

1. The Town Board does hereby approve the following special use permits through December 31, 2011:
  1. MaryAlbrecht 12863 Williston Rd. East Aurora, NY 14052 kennel
  2. B & C Lewandowski 12997 Bullis Rd. East Aurora, NY 14052 kennel
  3. Judith Quirk 2390 Eldridge Rd. East Aurora, NY 14052 kennel
  4. Thomas Stasierowski 724 Three Rod Rd. Alden, NY 14004 kennel
  5. Gloria Summers 13077 Clinton St. Alden, NY 14004 kennel
  6. Judith Vasilion 3399 Four Rod Rd., East Aurora, NY 14052 kennel
  7. Catherine Wojcik 13025 Bullis Rd. East Aurora, NY 14052 kennel
  8. Julie Garvey 12935 Williston Rd. East Aurora, NY 14052 animal shelter
  9. SBC Tower One SBC Center, 36M-1 St. Louis, MO 63101 cell tower
  10. Leon Berner 257 Townline Road Lancaster, NY 14086 gravel/mining
  11. First Baptist Church 11651 Bullis Rd, Marilla, NY 14102 picnic shelter
  12. Bradley Keem 3976 Two Rod Rd. East Aurora, NY 14052 milk hauling
  13. AT&T, Phillips 3400 HSBC Center Buffalo, NY 14203-2887 cell tower
  14. GC Acres 2598 Two Rod Rd. East Aurora, NY 14052 Horse Boarding
  15. William Peter 600 Two Rod Rd., Marilla, NY 14102 Auto Repair Facility
  16. Sandra Rogers 12632 Bullis Rd., East Aurora, NY 14052 kennel
  17. Gregory Willey 11615 Clinton Street, Marilla, NY 14102 gas station/store
  18. Patricia Puckett 11411 Stolle Rd., East Aurora, NY 14052 Bed & Breakfast
  19. Kimberly Watkins 1498 Four Rod Rd., Alden, NY kennel

2. This resolution shall take effect immediately.

Roll Call Vote:

Councilwoman Spanitz ó Aye                      Councilman Handley ó Aye  
Councilwoman Ackerman ó Aye                  Councilman Darrow ó Aye  
Supervisor Gertz ó Aye

Motion Carried.

Motion: Councilwoman Ackerman moved, seconded by Councilman Handley to approve the following resolution on payment of Water District 5 bills;

**WHEREAS**, the Town Board of the Town of Marilla plans to construct improvements to Water District No. 5 (õWater Districtõ).

**WHEREAS**, this project has obtained funding through USDA/Rural Development to construct and improve the Water District

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

1. That Supervisor Gertz and Deputy Supervisor Darrow of the Town of Marilla both be authorized to sign any payment estimates, payment vouchers, Form E Budgets or other required paperwork in connection with funding from or reporting to USDA/Rural Development.
2. That this resolution shall take effect immediately

Roll Call Vote:

Councilwoman Spanitz ó Aye

Councilman Handley ó Aye

Councilwoman Ackerman ó Aye

Councilman Darrow ó Aye

Supervisor Gertz ó Aye

Motion Carried.

Motion: Councilwoman Spanitz moved, seconded by Councilman Handley to approve the following flag lot application for property owned by Leon Berner located on Two Rod Road north of Clinton Street with the SBL #129.00-6-5.111 and the approximate size of 2.89 acres.

Councilman Handley stated that he is not a supporter of flag lots but this application abided by the code book.

Roll Call Vote:

Councilwoman Spanitz ó Aye

Councilman Handley ó Aye

Councilwoman Ackerman ó Aye

Councilman Darrow ó Aye

Supervisor Gertz ó Aye

Motion Carried.

### **Report of Town Officials**

Town Engineer Marie Nowak reported on the progress in Water District 5, she said the Contractor had completed the installation of 8 inch pipe on Clinton Street east of Exchange Street to the Bennington Town line which is approximately 4400 feet. They have completed installation along Cayuga Creek Road which is approximately 4700 feet. She said they have taken trees down where noted and some Residents have asked to keep the wood which the Contractor has no problem with, however some of the residents have left the trees lying there and the Contractor wanted Residents reminded that if the wood is still there when he gets there with his equipment it will be gone because it is in his way. She said that they have the 12 inch pipe to do and they are slightly ahead of schedule so they may stop for a few weeks and said they will still complete the project on time. She said homeowners in Water District 5 have until around February 1<sup>st</sup> to pay their tap in fee. She wanted to clear up some confusion, the Contractor is charging the same price whether the owner wants a ¾" or 1" service, however the Erie County Water Authority doesn't charge the same rates for a ¾" or 1" service. She wanted residents to understand if they order a 1" service their quarterly charge from the Water Authority goes up, she said there is no benefit to getting the bigger service, you are just going to pay more. She reported they are working with Microbac on prices for 2011 well testing.

Building Inspector Scott Rider submitted a written report with 0 building applications received with fees totaling \$0, 0 building permits were issued with a total value of \$0, 21 inspections and a total of 95 logged activities were made for the month of December. He also submitted an annual report.

Town Assessor Kandace Wittmeyer submitted her year end report and she wanted to explain that the Governor's budget included a clause for an income limit for basic star to be \$500,000. The State has determined there to be approximately 900 people in Erie County with that income level and eventually the Assessors will have to contact those individuals.

Planning Board Member Jay Walkowiak reported that the Planning Board will be working on the Town's Comprehensive Plan and the next meeting will be 1/20/11 at 7:00 pm.

The Conservation Advisory minutes have been received and posted.

Supervisor Gertz reported on behalf of the Marilla Fire Company; they are currently at the fire on East Blood Road, he reminded residents to wear bright clothing while walking, keep hydrants clear and chimneys clean.

### **Open Board Presentations**

Councilwoman Spanitz wanted to say what a privilege it has been to be the Town Board liaison to the Planning Board, she will miss them. She looks forward to working with the Historical Society. She said the Planning Board Members are very professional, they

think things through and they really do have the Town of Marilla at heart. The members come from all walks of life and they are very diligent at taking care of business.

Councilman Handley stated that he would like to thank Supervisor Gertz for allowing him to be his Deputy Supervisor for the last 3 years it was an honor and is still an honor after 15 years to serve the people of this town in such a capacity. He said there was one regret that he heard from a resident before he heard from the Supervisor that he would not be reappointed as Deputy Supervisor. He wished Councilman Darrow best of luck as Deputy Supervisor after one year in office. He also wished Supervisor Gertz a safe and enjoyable 2 week vacation in Hawaii. He thanked the Town Residents for their support and looks forward to working for the residents in the New Year.

Councilwoman Ackerman stated she is looking forward to being the Planning Board liaison and she knows they are definitely a group of people that are committed to doing what is right for the Town. She wanted to make a statement that she is in disagreement with Supervisor Gertz for appointing Don Darrow as Deputy. She believes there are 2 members on the Board that are more qualified to serve in the position. She was not insulting Don's intelligence in any way she just believes in a position like that experience is a more important thing than getting to know the ropes. She believes another year on the Board would be more beneficial to our Town and then possibly him serving as Deputy at that time. She just wants it to be known that she is in disagreement with Supervisor Gertz's decision.

Councilman Darrow stated that he is looking forward to working with George as Deputy Supervisor and he understands the feelings of some of the Board Members that he doesn't have the experience, and they are right. He does have the time, which was mentioned by George when he asked him if he would take on this responsibility. He is retired, there are meetings that go on during the day that Supervisor Gertz may not be able to attend and he can. He said he will be glad to do whatever he can, all he can say is he thinks his heart is in the right place, he will work closely with George and he will do the best he can. He said if he can't handle the job let him know and he will just back out.

Supervisor Gertz stated that they are here to work together and he will give Don a chance and he thinks he will do a good job. He said he was sorry that Beth felt like that but it is his decision and he will live with it. He stated that the Planning Board, Zoning Board of Appeals and Conservation Advisory Board have openings, any Resident interested should send a letter of interest and a resume to the Town Clerk's Office. He thanked Miller Nursery on Clinton Street in Elma for donating all the poinsettia plants to the Town Hall. He wished everyone a happy New Year.

Motion: Councilwoman Spanitz moved, seconded by Councilwoman Ackerman to approve the claims as follows:

General Fund Claims, Vouchers 1-33	\$ 16,338.51
Highway Fund Claims, Vouchers 1-14	\$ 20,869.70
Special Districts	
Sanitation (SR), Vouchers 1-7	\$ 17,400.72
Special Fire Voucher 1	\$ 4,539.89
Water District #2, Voucher 1	\$ 2,492.40
Water District #3 Voucher 1	\$ 1,353.40
Water District #4 Voucher 1	\$ 817.40
Water District #5 Vouchers 1-4	\$178,834.15
Community Develop. PACE Vouchers	\$ .00
Community Develop. HUD	\$ .00

Motion Carried.

Motion: Councilwoman Ackerman moved, seconded by Councilman Handley to adjourn the meeting at 8:20 p.m. Motion Carried.

Respectfully submitted,

\_\_\_\_\_ Town Clerk \_\_\_\_\_ Supervisor  
 \_\_\_\_\_ Councilman \_\_\_\_\_ Councilman  
 \_\_\_\_\_ Councilman \_\_\_\_\_ Councilman