

The regular organizational meeting of the Marilla Town Board was held on Thursday, January 10, 2008 at 7:30 p.m. at the Marilla Town Hall, 1740 Two Rod Road, Marilla, New York. Officials present were:

George Gertz, Supervisor  
Barbara Spanitz, Councilman  
Fred Specht, Councilman  
Warren Handley, 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 2008 organizational meeting. The Town had a very good year last year both financially and with events that occurred in town. The Town had the best Car Show ever, with over 600 registered cars and a larger and very successful AG Day in September. He stated that we also completed the Pierce shelter in the Park and put a hand railing along the Veterans walkway.

The other community events in town all have shown significant growth and will continue with this Board's support in 2008. The Town Board will continue to support our Library and they will continue to work to keep our Deputy Sheriffs on patrol duty in town.

He just got the final numbers this morning for 2007 and all accounts ended with a positive balance. The Town will be debt free by the end of this year, with a healthy reserve of \$717,096.05 for the Town and a Highway reserve of \$200,818.99. By continuing to be very conservative with expenditures in the budget we can maintain control of our Town tax rates. He believes this Town Board is doing a good job in providing necessary services at a reasonable cost. A lot of credit should also be given to Town employees for the great job they have done and continue to do for our residents.

The Town has one major project planned for the new year. The Town will be upgrading the Radio system used by both the Town and Fire Company. Most of the money for this project is coming from a Federal grant secured by the Fire Company. This new system will allow the Highway Department and the Fire Company to communicate with each other on the same frequency, and surrounding community's emergency services departments.

During 2008, the Town will be continuing to properly maintain our parks, roads, and buildings so residents can be proud of our Town facilities, and we will be in a financial position to take care of any unseen problems that may occur.

### **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 17-20, 2008.
- b. Request for appointments from; Jennifer Strong, Nathan Neill, John Fronczek, Nathan Barnard, Thomas Whiting, Roger Gustavel, Deborah Zimmerman, Lucille Janiga, Kotas & Kotas, Scott Rider, Jay Walkowiak, Bud Pearce.

### **Committee Reports**

Highway Superintendent Dave Pierce had no report.

Councilman Spanitz reported that the next Planning Board Meeting will be held on Thursday, January 17<sup>th</sup> at 7:00 p.m.

Councilman Specht reported that the Car Show Committee is proceeding for this year's car show plans. He also reported he is looking into a DSL line at the Highway Garage.

Supervisor Gertz reported that Water District 5 is moving at a snail's pace. He will attend a meeting on January 24<sup>th</sup> with Dave Miller, they are waiting for water studies from the Town Engineers. The Car Show will be back this year and the Town Board supports it.

The 2007 PACE Grant for the Horse farm on Three Rod Road did not go through. He stated the railing for the Veteran's Walkway has been installed.

**Open Board Presentations From the Public**

Warren Lippert, representative of EMW Boys and Girls Club wanted to thank the Town Board along with Barb Spanitz for all of their help and support. They currently have over 50 programs and activities, employ 25 people and have over 200 volunteers. The club has come a long way and each year enrollment is going up.

County Legislature Kathy Konst wished everyone a Happy New Year and congratulated all of the newly elected and re-appointed Officials. She wanted to inform citizens that she is available and also has a newsletter. She will be holding town meetings at outlying towns every four or five months. She stated that things are better at the County, and she is now the Chairman of the Finance and Management Committee.

**Old Business**

Motion: Councilman Spanitz moved, seconded by Councilman Specht to approve the minutes of the Regular Board Meeting held on 12/13/07 and the Settlement Meeting minutes of 12/28/07. Motion Carried.

**New Business**

Motion: Councilman Handley moved, seconded by Councilman Spanitz to appoint Earl Dabb as Chairman to the Board of Assessors and Laura Nuttle as Assessor Clerk. Motion carried.

Motion: Councilman Specht moved, seconded by Councilman Handley to re-appoint Leon Berner to the Assessment Review Board for a five year term to expire 12/31/12. Motion Carried.

Motion: Councilman Spanitz moved, seconded by Councilman Handley to appoint Attorneys for the Town as follows; Neill & Strong for daily business, DiFilippo for litigation, and Berkowitz for assessment litigation for 2008. Motion Carried.

Motion: Councilman Handley moved, seconded by Councilman Specht to appoint John Fronczek as Building Inspector and CEO for 2008. Motion Carried.

Motion: Councilman Handley moved, seconded by Councilman Spanitz to appoint Scott Rider as Deputy Building Inspector and CEO for 2008. Motion Carried.

Motion: Councilman Specht moved, seconded by Councilman Handley to appoint Thomas Whiting as Town Constable for the Town for 2008. Motion Carried.

Motion: Councilman Handley moved, seconded by Councilman Spanitz to appoint Roger Gustavel, Bud Pearce, and Jay Walkowiak to a two year term to expire on December 31, 2009. Motion Carried.

Motion: Councilman Specht moved, seconded by Councilman Handley to appoint Pat Blarr as Clerk to the Conservation Advisory Board. Motion Carried.

Motion: Councilman Handley moved, seconded by Councilman Spanitz to appoint Cynthia Jondle as Court Clerk for 2008 and pay according to the adopted clerk's pay scale. Motion Carried.

Motion: Councilman Specht moved, seconded by Councilman Spanitz to authorize the Supervisor to appoint Warren Handley as Deputy Supervisor. Motion Carried.

- Motion: Councilman Handley moved, seconded by Councilman Spanitz to appoint Sally Bender and Laura Nuttle as Deputy Town Clerks and pay according to the adopted clerk's pay scale. Motion Carried.
- Motion: Councilman Handley moved, seconded by Councilman Specht to appoint Donald Roesch to the position of Dog Control Officer for the year 2008. Motion Carried.
- Motion: Councilman Handley moved, seconded by Councilman Spanitz to appoint Greg Pruski as Assistant Dog Control Officer for 2008. Motion Carried.
- Motion: Councilman Spanitz moved, seconded by Councilman Specht to appoint Paul White to the position of EMW Representative for the year 2008. Motion Carried.
- Motion: Councilman Handley moved, seconded by Councilman Specht to appoint Nussbaumer & Clarke, Inc. as Engineers and Planners for the Year 2008 not to exceed the budgeted amount of \$7,632.00. Motion Carried.
- Supervisor Gertz re-appointed Hubert Kutter as Town Historian and Jeff Lewinski as Deputy Town Historian.
- Motion: Councilman Spanitz moved, seconded by Councilman Specht to re-appoint Deborah Zimmerman as a Member to the Planning Board for a 7-year term to expire December 31, 2014. Motion Carried.
- Motion: Councilman Handley moved, seconded by Councilman Specht to appoint Laura Nuttle as Planning Board Clerk for the year 2008 and pay according to the adopted clerk's pay scale. Motion Carried.
- Motion: Councilman Handley moved, seconded by Councilman Spanitz to appoint Nussbaumer & Clarke, Inc. as Consultants to the Planning Board for the year 2008 at a rate of pay of \$4,296.00. Motion Carried.
- Motion: Councilman Specht moved, seconded by Councilman Spanitz to appoint Dawn Pearce as Registrar of Vital Records. Motion Carried.
- Motion: Councilman Handley moved, seconded by Councilman Specht to appoint Sara Bender as Deputy Registrar of Vital Records. Motion Carried.
- Motion: Councilman Handley moved, seconded by Councilman Spanitz to appoint Helen Bourgeois as Senior Citizen Rec. Attendant/ Trip- Coordinator for 2008 and receive salary according to the budgeted amount. Motion Carried.
- Motion: Councilman Specht moved, seconded by Councilman Spanitz to appoint David Pierce as Superintendent of the Park and Sanitation Department for the year 2008. Motion Carried.
- Motion: Councilman Spanitz moved, seconded by Councilman Handley to appoint Barbara Schilling as Secretary to the Highway Superintendent. Motion Carried.
- Motion: Councilman Specht moved, seconded by Councilman Handley to appoint Jennifer Strong as Town Prosecutor for 2008. Motion Carried.
- Motion: Councilman Handley moved, seconded by Councilman Spanitz to appoint Kim Parker as Bookkeeper/ Secretary to the Supervisor. Motion Carried.
- Motion: Councilman Handley moved, seconded by Councilman Spanitz to appoint Bonnie Mather as Tri-Town Recreation Director for the year 2008. Motion Carried.
- Motion: Councilman Spanitz moved, seconded by Councilman Specht to re-appoint William Reuman as a Member to the Zoning Board of Appeals to a five year Term to expire December 31, 2012. Motion Carried.

- Motion: Councilman Specht moved, seconded by Councilman Spanitz to appoint Paulette Schloss as Clerk to the Zoning Board of Appeals for 2008 and pay according to the adopted clerk's pay scale. Motion Carried.
- Motion: Councilman Handley moved, seconded by Councilman Specht to designate Alden State Bank, JP Morgan Chase, CLAS, Fire Service Agency Inc., as depositories and Munistat as 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 2008. Motion Carried.
- Motion: Councilman Handley moved, seconded by Councilman Spanitz to establish a petty cash fund in the amount of \$400.00 for the Town Clerk's combined Office. Motion Carried.
- Motion: Councilman Handley moved, seconded by Councilman Specht to approve the Highway and Sanitation and General Fund Employees Work Policy for the year 2008 available to full time employees as negotiated by the Town Board as follows:

Town Of Marilla  
Highway, Sanitation And General Fund  
Full-Time Employee's Work Agreement - 2008

The Town Board has agreed to pay the following salaries to the Town of Marilla Employees:

Laborers for the Marilla Highway and Sanitation	
Departments shall receive -	\$11.62 per hour
Motor Equipment Operators shall receive – Starting Rate	\$15.27 per hour
After 1 year	\$16.27 per hour
After 2 years	\$17.94 per hour
Mechanics shall receive - Starting Rate	\$16.05 per hour.
After 1 year	\$18.25 per hour.
After 2 years	\$20.42 per hour.
Maintenance Employees for the Sanitation, Highway and General Fund shall receive – Starting Rate	\$13.46 per hour
After 1 year	\$14.35 per hour
After 2 years	\$15.27 per hour

Employees moving up from Sanitation to Highway start at second year rate.

In addition, full-time hourly employees of the Highway, Sanitation and General Fund Departments will receive the following benefits for 2008:

1. Eleven (11) paid holidays to include:
  - a. January 1                      New Years Day
  - b. January 21                     Martin Luther King Day
  - c. February 18                    President's Day
  - d. March 21                        Good Friday
  - e. May 26                          Memorial Day
  - f. July 4                            Independence Day
  - g. September 1                    Labor Day
  - h. October 13                      Columbus Day
  - i. November 11                    Veteran's Day
  - j. November 27                    Thanksgiving Day
  - k. December 25                    Christmas Day

2. Vacation - Five (5) days, (one) (1) day being eight (8) hours) for the first year of town employment, after six (6) months. One (1) additional day for each year thereafter until a maximum of twenty (20) days is reached. A maximum of ten (10) days may be carried over to the next year without prior approval. Vacation scheduling will be approved by the Highway Superintendent or the Sanitation Superintendent. Two (2) employees from the same department may not take the same week or other critical weeks as designated by the Highway or Sanitation Superintendents. No vacations shall be allowed between November 1 and April 15 except in an emergency. (Also, during this period Employees are required to be available for snowplowing unless prior approval is given by the Highway Superintendent.) Employees will be paid for unused vacation time remaining at the end of November in a December paycheck of 2008; provided that said employee has at least ten (10) days of unused vacation time as of the first paycheck of December of 2008.
3. Vacation Time – Forty (40) days notice must be given in writing with dates specified prior to two (2) or more consecutive days off.
4. Personal Leave - Five (5) days per year after one (1) year of employment.
5. Sick days - Five (5) days per year. Thirty (30) sick days may be accumulated and will be paid upon retirement at a rate of one-half (1/2) of the employee's pay at retirement based upon one (1) work day (where one (1) work day equals eight (8) hours).
  - i. Employees employed by the Town of Marilla prior to January 1, 2001 and who have accumulated sick days under previous Work Agreements with the Town of Marilla are entitled to those previously accumulated sick days, as designated in the Work Agreement(s) in effect during the period of accumulation, but are not entitled to continue the accumulation commenced under previous Work Agreements. Previously accumulated sick days are not to be counted in the accumulation of sick days under the instant Work Agreement.
  - ii. In the event that future Work Agreements discontinue the policy of accumulating sick days, employees are entitled to receive, as outlined by this Work Agreement, all sick days under this Work Agreement.
6. Highway Superintendent and Sanitation Superintendent may require a doctor's certificate for three (3) consecutive sick days.
7. NYS Disability Insurance after a period of seven (7) consecutive days. The Town will pay employee his or her normal wage for the work week missed during the waiting period if, and only if employee files disability claim beginning the first day of his or her disability.
8. Personal Safety Equipment - \$ 500.00 annually.
9. Pay shall be issued on a bi-weekly basis. Checks to be issued no later than Thursday following the last pay period day.
10. Full Independent Health - Group Number B2704H
11. Time paid is considered time worked. Upon returning to work, benefits will be pro-rated for the balance of the year.

An Employee will be eligible for the above benefits provided they have worked 80% of the current calendar year. All Marilla paid time off, except DBL time off, will be considered time worked. When an employee returns to work and completes working 80% of that current calendar year, their benefits received for the remaining portion of that calendar year shall be pro-rated.

Motion Carried.

Motion: Councilman Specht moved, seconded by Councilman Spanitz 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	\$ 10.91	\$ 12.13	\$ 13.24

	1 <sup>st</sup> Year	2 <sup>nd</sup> Year	3 <sup>rd</sup> Year
Clerk Regular	\$ 11.53	\$ 12.74	\$ 13.85

Motion Carried.

Motion: Councilman Handley moved, seconded by Councilman Spanitz to adopt the following Resolution: RESOLVED, that the Town Board of the Town of Marilla does hereby fix the salaries of the officers and employees for the year 2008 and that they be paid as follows:

Supervisor	\$ 28,752.00
Councilman (4)	8,220.00
Chairman, Board of Assessors	10,848.00
Member, Board of Assessors	9,576.00
Town Clerk	40,950.00
Highway Superintendent	49,400.00
Sanitation Superintendent	6,786.00
Park Superintendent	1,820.00
Town Justice	12,060.00
Building Inspector	14,856.00
Deputy Building Inspector	6,432.00
Senior Citizen Recreation Attendant	1,464.00
Town Historian	1,416.00

Motion Carried.

Motion: Councilman Specht moved, seconded by Councilman Handley to pay Assessment Review Members per day and to receive the same rate of pay per day for required schooling, pay scale as follows: \$78.00 for the Chairman and \$ 64.00 for members. Motion Carried.

Motion: Councilman Specht moved, seconded by Councilman Spanitz to pay Dog Control Officer at the rate of Maintenance employees as per the Town's work agreement of 2008 at \$15.27 per hour for hours worked as needed and to include taking a Census of dogs doing one-third of the Town each year. Motion Carried.

Motion: Councilman Specht moved, seconded by Councilman Spanitz to pay the Attorney for the Town \$115 per hour for 2008. Motion Carried.

Motion: Councilman Specht moved, seconded by Councilman Spanitz to appoint J & M Cleaning at a rate of \$145 per visit for both the Town Hall and Community Center. Motion Carried.

Motion: Councilman Specht moved, seconded by Councilman Spanitz to pay the Constable for the Town \$22.06 per summons and pay for court time at adopted clerk's rate of pay. Motion Carried.

Motion: Councilman Specht moved, seconded by Councilman Spanitz to pay laborers for the Town Park and Assessor's Office at a rate of \$11.61 per hour. Motion Carried.

Motion: Councilman Specht moved, seconded by Councilman Spanitz to pay Town Prosecutor Jennifer Strong at a rate of \$115 per hour. Motion Carried.

Motion: Councilman Specht moved, seconded by Councilman Spanitz to set the rate of pay for the Zoning Board of Appeals, Planning Board and the Conservation Advisory Board as follows: Chairman \$40.00 per meeting and \$ 28.00 per meeting per member. Motion Carried.

Motion: Councilman Handley moved, seconded by Councilman Spantiz 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 2008 budget according to Town Law. Motion Carried.

Motion: Councilman Spanitz moved, seconded by Councilman Specht 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: Councilman Specht moved, seconded by Councilman Spanitz 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 2008 and to keep a log of mileage as used in order to be paid. Motion Carried.

Motion: Councilman Handley moved, seconded by Councilman Spanitz 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 2008. Motion Carried.

Motion: Councilman Specht moved, seconded by Councilman Handley to authorize the Supervisor to pay various organizational dues for the year 2008. Motion Carried.

Motion: Councilman Spanitz moved, seconded by Councilman Specht to retain the services of Kotas and Kotas, Accountants at an annual cost of \$8,880 for general accounting and \$1100 for the preparation of the Annual Update Document, in addition a fund specific audit statements for Water Districts #2 & #4 for \$2,000. Motion Carried.

Supervisor Gertz appointed the following work committees:

**Councilman Spanitz:** Affirmative Action Officer, Library, Youth, Planning Board Liaison.

**Councilman Specht:** Technology, Historical Society, audit of claims, liaison to the CAB, Fire Service Award.

**Councilman Handley:** Audit of claims, Memorial Day & Veterans Day, Pavilion Concert Committee, Deputy Supervisor.

**Supervisor Gertz:** HUD, Insurance, NEST Board, Disaster/ Traffic & Safety, PACE.

Motion: Councilman Specht moved, seconded by Councilman Spanitz to accept the calendar of dates and times of Town Board Meetings and Work Sessions for 2008. Motion Carried.

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

Motion: Councilman Specht moved, seconded by Councilman Handley to authorize Town Assessors to attend an annual seminar. Motion Carried.

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

Motion: Councilman Handley moved, seconded by Councilman Spantiz to approve the following resolution:

WHEREAS, the Town Board of the Town of Marilla has determined that it is in the best interest of the Town of Marilla to formally adopt rules governing the conduct of meetings which provide rules not only for the placing of matters on the agenda, time deadlines, and rules relating to the conduct by the Town Board of matters before the board but also address the need to insure that public meetings are conducted in a civil and courteous manner with respect for the feelings of others; and

WHEREAS, the Town Board has prepared a proposed set of rules governing the conduct of business, a copy of which is annexed hereto and made a part hereof.

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

1. The Town Board does hereby adopt the Rules Governing the Conduct of Business attached hereto as the official rules for the Town of Marilla.
2. The Town Board directs that a copy of the rules be publicly displayed in the Town Hall Meeting Room and the Community Center Meeting Room.
3. This resolution shall take effect immediately.

Roll Call Vote:

Councilman Spanitz – Aye    Councilman Specht – Aye

Councilman Handley – Aye    Supervisor Gertz - Aye

Motion Carried.

Motion: Councilman Specht moved, seconded by Councilman Spanitz to approve the following resolution:

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 determined that it would be in the best interest of the Town of Marilla to individually review each special use permit and obtain public input prior to their renewal for an additional year; and

WHEREAS, the Town Board has not yet had an opportunity to individually review each special use permit and obtain public input but also does not want to cause individuals operating under special use permits any inconvenience or potentially place them in violation of the Code.

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

1. The Town Board does hereby approve a temporary extension of the following special use permits through March 31, 2008:

1. Mary Albrecht 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 towers
10. Crown Castle Court 4017 Washington Rd. McMurry, PA 15317 cell
11. Leon Berner 257 Townline Road Lancaster, NY 14086 gravel/mining
12. First Baptist Church 11651 Bullis Rd, Marilla, NY 14102 picnic shelter
13. Bradley Keem 3976 Two Rod Rd. East Aurora, NY 14052 milk hauling
14. AT&T, Phillips 3400 HSBC Center Buffalo, NY 14203-2887cell Lytle
15. GC Acres 2598 Two Rod Rd. East Aurora, NY 14052 Horse Boarding
16. William Peter 600 Two Rod Rd., Marilla, NY 14102 Auto Repair Facility
17. Sandra Rogers 12632 Bullis Rd., East Aurora, NY 14052 kennel

2. The Town Board agrees that it will review each special use permit during the extension period and will endeavor to make a decision on renewal prior to the expiration of the extension period.
3. This resolution shall take effect immediately.

Roll Call Vote:

Councilman Spanitz – Aye Councilman Specht – Aye

Councilman Handley – Aye Supervisor Gertz - Aye

Motion Carried.

Motion: Councilman Handley moved, seconded by Councilman Specht to approve the following resolution:

WHEREAS, the Town of Marilla has received complaints that the speed limit at the intersection of Two Rod Road and Williston Road is too high based upon the conditions of the area and that there should be a four way stop at the intersection of Three Rod Road and Williston Road; and

WHEREAS, the Town Board does not have the power to impose speed limits or to place stop signs at intersections and has to request that the State of New York initiate the consideration of modifying speed limits within the Town.

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

1. The Town Board does hereby authorize the Town Clerk to petition the New York State Department of Transportation (DOT) to request that the DOT do a traffic study at the intersections of Two Rod Road and Williston Road and Three Rod Road and Williston Road to determine whether the speed limit should be changed at the intersection of Two Rod Road and Williston Road and whether a four way stop sign should be installed at the intersection of Three Rod Road and Williston Road.
2. This resolution shall take effect immediately.

Roll Call Vote:

Councilman Spanitz – Aye Councilman Specht – Aye

Councilman Handley – Aye Supervisor Gertz - Aye

Motion Carried.

Motion: Councilman Specht moved, seconded by Councilman Spantiz to approve the following resolution:

WHEREAS, the Town Board has provided for replacement of the radio system for the Town including replacement of radios, antenna and installation costs; and

WHEREAS, the estimated costs for such replacement require that the purchase be subject to competitive bidding.

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

1. The Town Clerk is hereby authorized to advertise for bids for replacement of the radio system of the Town in accordance with the specifications prepared by the Town for such system.

2. This resolution shall take effect immediately.

Roll Call Vote:

Councilman Spanitz – Aye Councilman Specht – Aye

Councilman Handley – Aye Supervisor Gertz - Aye

Motion Carried.

Motion: Councilman Handley moved, seconded by Councilman Spanitz to permit Tri-Town United Soccer Club use of the Town's Eastwood Road Soccer fields for their 2008 season. Motion Carried.

Motion: Councilman Handley moved, seconded by Councilman Spanitz to approve the following resolution:

WHEREAS, the Town Board has been advised by the Town Highway Superintendent that it is necessary to go to bid for a new dump body for one of the Town's snowplows.

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

1. The Highway Superintendent and the Town Clerk are hereby authorized to send out the required public bidding notice for purchase of a new dump body.

2. This resolution shall take effect immediately.

Roll Call Vote:

Councilman Spanitz – Aye Councilman Specht – Aye

Councilman Handley – Aye Supervisor Gertz - Aye

Motion Carried.

### **Report of Town Officials**

Building Inspector John Fronczek submitted a written report with 1 building application received with fees totaling \$248, 1 building permit issued with a total value of \$52,771, 6 inspections were made and 1 complaint was received for the month of December 2007. He also submitted an annual report for 2007, a copy of which will be filed in the Town Clerk's Office.

Town Attorney Nathan Neill thanked the Town Board for re-appointment.

Earl Dabb, town assessor thanked the Town Board for being re-appointed as Chairman of the Assessors.

Planning Board Member Nate Barnard reported that the next meeting will be held on January 17<sup>th</sup> at 7:00 p.m. He stated Bob Miller from Nussbaumer and Clarke conducted classes for the Zoning Board and Planning Board Members to attend at the Town Hall in November and December to get their 4 hours of required training in. He said he had attended classes in Elma as well that were very informative.

The Conservation Advisory minutes have been received and posted.

Fire Company Representative Bill Blarr welcomed the new Supervisor and stated that the Fire Company is looking forward to the new radio system.

Town Historian Hubert Kutter thanked the Town Board for his re-appointment. He stated that he wanted to thank the Town Board for the work they have done in the past and looks forward to working with them in the New Year. He also wanted to thank Dave Pierce and his men for moving a file cabinet for him.

**Open Board Presentations**

Resident Shirley Limpinsel asked how residents would know when positions become available in the Town?

Supervisor Gertz responded that every January appointments are made, residents can at anytime send in a letter of interest and we would keep it on file for when an opening does arise.

Planning Board Member Deborah Zimmerman thanked the Town Board for her re-appointment.

Councilman Specht congratulated Supervisor Gertz.

Councilman Handley also congratulated Supervisor Gertz and wished him good luck.

Councilman Spanitz wanted to congratulate Supervisor Gertz and stated that the Planning Board has been great to work with.

Supervisor Gertz thanked everyone for their kind comments and said they are all a good group of people to work with. He then reported that the County will have a Recycling Day on January 12<sup>th</sup> from 9-1 at the Buffalo Zoo. He also stated that National Fuel will be raising their rates again and are offering a rebate program as an incentive to conserve. He reported that the Town is looking into whose responsibility it is to inspect the water meters at Bush Gardens.

Motion: Councilman Specht moved, seconded by Councilman Handley to approve the claims as follows:

General Fund Claims, Vouchers 1-17	\$ 31,247.05
Highway Fund Claims, Vouchers 1-15	\$ 10,090.14
Special Districts	
Sanitation (SR), Vouchers 1-10	\$ 5,060.26
Special Fire	\$ .00
Water District #2, Voucher	\$ .00
Water District #3 Voucher	\$ .00
Water District #4 Voucher	\$ .00
Community Develop. PACE Vouchers	\$ .00
Community Develop. HUD	\$ .00

Motion Carried.

Motion: Councilman Spanitz moved, seconded by Councilman Specht to adjourn the meeting at 8:25 p.m. Motion Carried.

Respectfully submitted,

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

\_\_\_\_\_ Councilman \_\_\_\_\_ Councilman

\_\_\_\_\_ Councilman \_\_\_\_\_ Councilman