

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 January, 2014 at 7:00 PM, the meeting was called to order by Supervisor Keem and there were:

<b>PRESENT AT ROLL CALL:</b>	Patrick J. Keem	Supervisor
	Councilmember	Eugene Majchrzak
	Councilmember	Michael Sherry
	John C. Bailey	Town Attorney
	Carol Hutton	Town Clerk
	Frederick Piasecki, Jr.	Highway Superintendent
	Wayne Bieler	Town Engineer
	Andrew Geist	Building Inspector
	Mark Pacholec	Chief of Police

**Supervisor Keem read into the record the following:** “If anyone appearing before the Town Board has a family, financial or business relationship with any member of the Board, it is incumbent upon that person to make it known under State Law and the Town Code of Ethics.”

**1) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER MAJCHRZAK, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER SHERRY, TO WIT:**

**RESOLVED,** that the 2014 Organizational Meeting held on January 2, 2014 and Executive Session Meeting minutes of the Town Board Meeting held on December 18, 2013, and January 2, 2014 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.**

**Special Presentation Youth Court**

Supervisor Keem introduced David Rebmann, Director of the Orchard Park Youth Bureau and Youth Court who presented the 2014 Youth Court Class, and Supreme Court Justice Frederick Marshall who presided over the swearing in ceremony. The following students were sworn in as the Class of 2014 Youth Court:

Timothy Allaire	John Boncaldo	Justin Boncaldo	Colin Cieslica
Jack Collins	Lucy Covello	Dominic Darlak	Francisco DeJames
Nick Deluca	Allie Dolce	Alec Duffy	Hala El Solh
Joe Even	Madison Gossel	Michael Gossel	Abby Graber
Nicole Haseley	Emily Henrich	Riley Heywood	Bailey Huglett
Allison Jennings	Jessica Jeziorski	Michael Keane	Nathaniel Kren
Allie Lane	Mike Mielcark	Elizabeth Nicometo	Liam Pacholec
Claire Pawlak	Jenna Probst	Evelyn Quinlan	Kara Ryczek
Kevin Steyer	John Sullivan	Anna Swetz	Emma Salmon
Emma Tryon	Daniel Valtin	Jessica Visco	Travis Wolf
Lilly Wozniak	Adam Ziccardi	Margaret Ziccardi	Ryan Zucalla
Alexandra Zubrick			

Supervisor Keem congratulated the new Youth Court members.

**New Business #1 Authorization to Attend a One Day Course on Event Security**

2) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER SHERRY, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER MAJCHRZAK, TO WIT:

**RESOLVED**, that the Town Board does hereby authorize Richard J. Mrugalski, Emergency Manager, to attend a one day course on “Event Security, Protecting the Soft Target” to be held on January 17, 2014 at Medaille College’s Buffalo Campus. There is no cost for this training.

**The resolution was unanimously adopted.**

**New Business #2 Authorize Attendance to Niagara Frontier Building Officials Annual Conference**

3) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER MAJCHRZAK, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER SHERRY, TO WIT:

**RESOLVED**, that the Town Board does hereby authorize Andrew Geist to attend the Niagara Frontier Building Officials Annual Conference, January 27-29, 2014, to be held at the Buffalo Millennium Hotel. Registration and conference costs have been paid from the 2013 budget.

**The resolution was unanimously adopted.**

**New Business #3 Adopt KRONOS Time Keeping Policy for Police Department**

4) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR KEEM, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER MAJCHRZAK, TO WIT:

**RESOLVED**, that the Town Board does hereby adopt the amended KRONOS Time Keeping Policy for members of the Police Department.

**The resolution was unanimously adopted.**

**New Business #4 Authorize Payment of “Lieutenants Pay”**

5) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER MAJCHRZAK, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER SHERRY, TO WIT:

**RESOLVED**, that the Town Board does hereby authorize the payment of four (4) hours pay, known as “Lieutenants Pay”, to Chief Pacholec, Assistant Chief Wehrfritz, Lieutenant McMaster and Lieutenant Dearborn, which was previously withheld by two weeks when the COA 12 hour schedule began on March 10<sup>th</sup> 2012, under the old payroll system. This will catch up payroll to the current system with the pay rate to be paid at the current pay rate as prescribed by law.

**The resolution was unanimously adopted.**

**New Business #5 Dedication of PIP 2013-01 Pleasant Acres West Subdivision**

6) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER MAJCHRZAK, WHO MOVED ITS ADOPTION, SECONDED BY SUPERVISOR KEEM, TO WIT:

WHEREAS, on January 10, 2014, a final inspection was conducted of the public improvement constructed in the Pleasant Acres West Subdivision Part 2 Phase 1. The project included the installation of a portion of Wentworth Drive and a portion of Golden Crescent Way, which consists of the installation of 1,250 L.F. of new roadways and public utilities including 1,380 L.F. of sanitary mainline and 1,265 L.F. of watermain with two hydrants to serve 21 residential sublots as shown on the attached location map, and

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

- 8 light fixtures, and all associated conduits, wiring, fuses, and ‘special’ pull boxes, and provide UL Inspection Certification and all required spare parts including a complete spare light standard \$ 20,000
- Complete remaining final grading, seeding and mulching in all ROW areas \$ 5,000
- Complete field and stockpile seeding and mulching in all remaining disturbed areas \$ 20,000
- Install trail gate on access road and install associated trail sign \$ 2,500
- Install two street barricades at the end of roadways \$ 6,000
- Complete grading of the rear yard swales to provide positive flow \$ 3,000
- Complete regrading and paving as necessary in the spring the recreation land access road \$ 1,000

WHEREAS, we are in receipt of the bond and cash securities for the items noted above. The cash security and bond will be held in escrow until that work has been satisfactorily completed in the spring. A two-year maintenance bond in the amount of \$350,000.00 has been submitted along with all other necessary documents.

**NOW, THEREFORE, be it**

**RESOLVED**, that the Town Board does hereby authorize the Town Attorney to proceed with the dedication of the public improvements in the Pleasant Acres West Subdivision Part 2 Phase constructed under PIP #2013-01, and authorize the Town Clerk to release the performance bond in the amount of \$70,000.00.

**The resolution was unanimously adopted.**

**New Business #6 Authorize Bid for Forest Ave. Bridge Replacement  
This Item Was Tabled**

**New Business #7 Appoint Councilmember Sherry Liaison to Orchard Park School District for 2014**

7) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR KEEM, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER MAJCHRZAK, TO WIT:

**RESOLVED**, that the Town Board does hereby appoint Councilmember Sherry as the liaison to the Orchard Park School District for the year 2014.

Supervisor Keem stated the intention behind this liaison appointment is to serve as a primary point of contact between the Orchard Park Town Board and the Orchard Park Schools, facilitating effective communication and mutual cooperation.

**The resolution was unanimously adopted.**

**Refer to Planning Board and Conservation Board**

8) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER SHERRY, WHO MOVED ITS ADOPTION, SECONDED BY SUPERVISOR KEEM, TO WIT:

**RESOLVED**, that the Town Board does hereby refer the following to the Planning Board and Conservation Board:

- Bammel Architects, representing OP 250, LLC, is requesting to renovate the former Kelly's TV Building at 4915-4919 Ellicott Road and remove an existing residence. The property is located on the north east side of Ellicott Road, south of South Buffalo Street, Zoned B-2. OP 250, LLC would like to establish their office here and the headquarters for a specialty pharmacy mail order division of Cottrill's, Arcade, New York. SBL # 173.13-1-14.
- Andy Gernold, representing G & G Real Property, Inc., is requesting to rezone Vacant Land, 5241 Big Tree Road, Zoned R-3, located on the south side of Big Tree Road, east of Abbott Road, from R-3 to B-2 for the purpose of constructing a 3,000 sq. ft. professional office building. SBL # 172.05-1-3.

**The resolution was unanimously adopted.**

**BUSINESS FROM THE FLOOR**

Dave Schuster – Mr. Schuster requested that when meetings or other events of the Town are cancelled, that they be posted on the Town Website, He would also like to see better postings regarding the meetings, work sessions and executive sessions.

**ELECTED OFFICIALS & DEPARTMENT HEADS**

Supervisor Keem – Supervisor Keem stated that one of his first official meetings after taking office was with Rich Mrugalski, the Town Emergency Manager, to review emergency policies. He said he did not realize that such a dramatic event as a blizzard would happen in his first week in office. Decisions were made by our local team officials, always keeping in mind that our number one priority was public safety. He gave his heartfelt thanks and gratitude to all who worked so hard for those few days and got us through the crisis. Supervisor Keem stated that he and Village Mayor John Wilson, were in constant contact with the Chief of Police and the Highway Superintendent to keep everything coordinated. Supervisor Keem said we can be proud of our entire Orchard Park Community.

Councilmember Majchrzak – Councilman Majchrzak wanted to compliment the residents of Orchard Park for taking the emergency decisions seriously. It allowed our professionals to do their job efficiently. He also complimented the Erie County Emergency services for their work as well.

Councilmember Sherry – Councilman Sherry echoed the sentiments of Supervisor Keem and Councilmember Majchrzak.

Chief Pacholec – The Police Department received a letter from the NYS Dept. of Transportation regarding the speed limit on Rt. 277/Chestnut Ridge Rd. They are going to be changing the speed limit from the Chestnut Ridge overpass to Gartman Rd. from 55mph. to 45 mph.

Highway Superintendent Piasecki – The Highway Department is back at picking up the Christmas Trees.

9) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR KEEM, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER MAJCHRZAK, TO WIT:

RESOLVED, that the Town Board does hereby authorize the approval of all entries on Warrant #2 following auditing by members of the Town Board and in the funds indicated:

<b>General Fund</b>	\$26,097.16
<b>Public Safety Fund</b>	\$5,126.73
<b>Part Town Fund</b>	\$208.39
<b>Risk Retention</b>	\$0.00
<b>Cemetery Fund</b>	\$0.00
<b>Highway Fund</b>	\$38,963.20
<b>Special Districts</b>	\$51,058.72
<b>Trust &amp; Agency</b>	\$6,322.18
<b>Capital Fund</b>	\$0.00

The resolution was unanimously adopted.

10) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER SHERRY, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER MAJCHRZAK, TO WIT:

RESOLVED, that the Town Board does hereby receive and file the following:

**Reports**

- Building Inspector’s Annual Report for 2013
- Building Inspector’s New Construction Report 2004 to 2013.

The resolution was unanimously adopted.

There being no further business, on a motion by Supervisor Keem, seconded by Councilmember Majchrzak, the meeting adjourned at 7:28 pm (local time).

Respectfully Submitted,

Carol R. Hutton  
Town Clerk