

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 18<sup>th</sup> day of February 2015 at 7:35 PM, the meeting was called to order by Supervisor Keem and there were:

**PRESENT AT ROLL CALL:**

Patrick J. Keem	Supervisor
Eugene Majchrzak	Councilmember
Michael Sherry	Councilmember
John C. Bailey	Town Attorney
Remy Orffeo	Town Clerk
Wayne Bieler	Town Engineer
Andrew Geist	Building Inspector
Frederick Piasecki, Jr.	Highway Superintendent
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 SUPERVISOR KEEM, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER MAJCHRZAK, TO WIT:**

**RESOLVED**, that the Town Board does hereby approve the Regular Town Board Meeting Minutes held on February 4, 2015, and Executive Session on February 11, 2015, 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.**

**Old Business # 1 Award Contract for Municipal Building Mechanical & Electrical Repairs Project**

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

**WHEREAS**, bids were opened for the Municipal Building Mechanical and Electrical Systems Repair Project on February 12, 2015. The project was developed with two separate scopes of work, one bid for the mechanical improvements and the second for the electrical improvements, and

**WHEREAS**, the Engineering Department has reviewed the 5 mechanical bids and 3 electrical bids. The mechanical bids ranged from \$316,500 to \$349,000. The electrical bids ranged from \$47,750 to \$52,400. The engineer's estimate for this entire project was \$350,000. The two low bidders when added together equal \$364,250, this is an overage of \$14,250 or 4%, which is more than acceptable estimate in this field of work, and

**WHEREAS**, the design engineers for this project, Buffalo Engineering, have analyzed the bids and recommend awarding this project to the successful low bidders, MLP Plumbing and M&M Electrical Construction Co. and

**WHEREAS**, the Town has appropriated funding for the Municipal Building Mechanical & Electrical Systems Repairs Project under Capital Project #H14 "Municipal Building Reserve", which has a negative balance - \$133,258.00 and H-88 "Municipal Buildings" which has a \$326,400.00 balance. Additional

funds need to be transferred to fully fund the project, approximately \$170,000.00 with the correction of the existing negative balance. The Town Engineer recommends transferring \$121,938.43 from H-81 "Library Renovations", \$20,994.75 from H-27 "Capital Reserve", and \$27,100.00 from H-82 "Iroquois Drive Drainage/Road Reconstruction" to H-88 "Municipal Building".

**NOW, THEREFORE, be it**

**RESOLVED**, that the Town Board does hereby award the contract for the Municipal Building Mechanical & Electrical Systems Repair Project, for the "Mechanical Work" to the lowest responsible bidder, MLP Plumbing & Mechanical, Inc., 3198 Union Road, Suite 300, Cheektowaga, New York 14227 in the amount not to exceed \$316,500.00, and be it further

**RESOLVED**, that the Town Board does hereby award the contract for the Municipal Building Mechanical & Electrical Systems Repair Project, for the "Electrical Work" to the lowest responsible bidder, M&M Electric Construction Co., Inc., 4819 Henry Avenue, Niagara Falls, New York 14304 in the amount not to exceed \$47,750.00, as recommended by the Town Engineer.

**The resolution was unanimously adopted.**

**Old Business #2 Authorize NYSEG to connect decorative streetlights for the Hills Sub. PIP 2013-07**

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

**WHEREAS**, the Town has received a proposal from NYSEG for the connection of five (5) decorative street light fixtures on Hidden Oak Court in The Hills Subdivision. At present, there are no homes currently under construction of the 11 total sublots in the subdivision, and

**WHEREAS**, the 70-watt H.P.S. luminaires, which are owned by the Town, were installed with the installation of standard decorative street light poles under PIP # 2013-07. 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, which is estimated to be \$42.03/ea. for an annual cost of \$210.15. The proposal is for a total of five (5) luminaries to be connected at an annual charge of \$23.13 each; totaling annually \$115.68. NYSEG will provide new estimate sheets as new rates become available.

**NOW, THEREFORE, be it**

**RESOLVED**, that the Town Board does hereby authorize NYSEG to connect a total of five (5) 70-watt high-pressure sodium standard decorative street light fixtures in The Hills Subdivision at an annual increased cost of \$115.68 to the Consolidated Light District in accordance with the attached NYSEG proposal. Energy will be an additional (+/- \$210.15/yr.), as recommended by the Town Engineer.

**The resolution was unanimously adopted.**

**New Business #1 Town Board to award contract for Court Office bathroom**

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

**WHEREAS**, the Orchard Park Court Clerks applied for a Justice Courts Assistance Program Grant in the fall of 2014 to construct a restroom for the court clerks and judges inside their secured office area. At various times there is only one person in the office or during a court session. The office would need to be closed, so the clerk or judge can go out into the congested hallway and use the public facilities with the same defendants that they may be prosecuting at the current time. This situation could be problematic for the court personnel and will be resolved with the construction of a small private restroom in their secured area. The Engineering Department completed the design and scope of work for the restroom, and

**WHEREAS**, the State Court Systems agreed with this reasoning and has awarded Orchard Park an \$18,000.00 Justice Court Assistance Program Grant to fund this necessary project. During the application process, preliminary contractor estimates were obtained to develop the grant preliminary cost. The estimate of \$20,530.00 was obtained in late September/early October and the bids are typically only good for 30 to 60 days. The low contractor would not extend bid, therefore updated bids were requested. Once the grant was awarded it was necessary to go back to contractors for detailed updated estimates, and

**WHEREAS**, the three contractors that submitted updated bids to complete the restroom project were Telco Construction, R.B. Mac Construction and E.B. Galaxy Construction. Bids for the complete detailed restroom project were obtained in February 2015. Telco Construction's submitted bid totaled \$18,000.00, which is actually below the prior grant estimate. R.B. Mac's submitted bid totaled \$22,965.00 and E.B. Galaxy's bid was \$24,071.56. The Maintenance Department will be completing demolition work for the project to keep cost down, and

**WHEREAS**, the lowest bid for the complete detailed restroom scope of work was Telco Construction at \$18,000.00. This company has just completed the 2014 Municipal Building Repairs Project ahead of schedule and with many praises about the professionalism of their workforce.

**NOW, THEREFORE, be it**

**RESOLVED**, that the Town Board does hereby accept the grant award funds from the New York State – 2014/2015 Justice Court Assistance Program Grant totaling \$18,000.00 to complete the Court Clerk's Restroom Project, and be it further

**RESOVLED**, that the Town Board does hereby award the contract for the Court Clerk's Restroom Project to the lowest responsible bidder, Telco Construction, Inc., 500 Buffalo Road, East Aurora, New York 14052 in the amount not to exceed \$18,000.00, as recommended by the Town Engineer.

**The resolution was unanimously adopted.**

**New Business #2. Set Public Hearing for Local Law 2015-02 – Amend Snow Removal Prohibitions**

**5) 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 set a Public Hearing for March 4, 2015 at 7:00 PM for Local Law 2015-02 – Amending Chapter 120-5.1, Snow Removal Prohibitions.

**The resolution was unanimously adopted.**

**New Business #3. Not on agenda - Part-time Public Safety Dispatchers Pay Schedule**

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

**RESOLVED**, that the Part-time Public Safety Dispatchers pay schedule shall follow that of the Full time Public Safety Dispatchers and that the employee shall move to the next step in their pay group effective the start of the next pay period following their own anniversary date of employment.

**The resolution was unanimously adopted.**

**BUSINESS FROM THE FLOOR**

Tom Pieczynski – Mr. Pieczynski, wanted to compliment Hamburg on it efforts (referring to the Hamburg’s new Senior Community Center article in the Buffalo News), and note their consideration for citizens of all ages, and in particular the Veterans. He also “tipped his hat” to the current Orchard Park Town Board in their efforts to secure a place for a new community center for Orchard Park

Kathryn Gorkiewicz – Ms. Gorkiewicz said she read the same article and Hamburg went \$1 million dollars over budget, and she hopes that this Town is much more careful about any projects they undertake. She also noted that the seniors in Hamburg were involved with volunteer projects for the center, and she hopes that the Orchard Park seniors are also involved with volunteer projects.

**ELECTED OFFICIALS & DEPARTMENT HEADS**

Supervisor Keem said one of the reasons that he fully supports a new community center, not only for our youth, but also senior component, is the fact that they are doing a remarkable job volunteering and fundraising. They have already raised \$85,000 dollars with pancake breakfasts, spaghetti dinners, and all kinds of activities. As a community we have to admire what they have done, and support those who help themselves.

Police Chief Pacholec said that there has been a significant increase in vehicles off the road and in accidents over the last couple of weeks due to the weather. He wanted to remind people to drive prudently and defensively. Just because the speed limit may say 40mph, it does not mean that you can do that in bad weather conditions.

Highway Superintendent Piasecki said they are continuing doing pushbacks on the snowbanks, removing snow, and trying to keep up the snowplowing and salting.

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

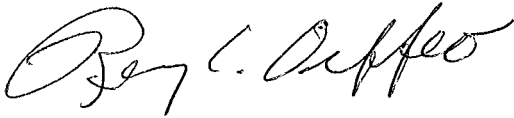
**RESOLVED**, that the Town Board does hereby authorize the approval of all entries on Warrant #4 following auditing by members of the Town Board and in the funds indicated:

<b>General Fund</b>	\$27,852.79
<b>Public Safety Fund</b>	\$4,515.78
<b>Part Town Fund</b>	\$113.60
<b>Risk Retention Cemetery Fund</b>	
<b>Highway Fund</b>	\$76,771.41
<b>Special Districts</b>	32,769.04
<b>Trust &amp; Agency</b>	\$72,000.00
<b>Capital Fund</b>	\$29,098.50

**The resolution was unanimously adopted.**

There being no further business, on a motion by Supervisor Keem, seconded by Councilmember Majchrzak, the meeting adjourned at 7:42 pm (local time).

**Respectfully Submitted,**



**Remy Orffeo  
Town Clerk**