

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 20th day of April 2016 at 7:00 PM, the meeting was called to order by Supervisor Keem and there were:

PRESENT AT ROLL CALL:	Patrick J. Keem	Supervisor
	Eugene Majchrzak	Councilman
	Michael Sherry	Councilman
	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 COUNCILMAN MAJCHRZAK, TO WIT:

RESOLVED, that the Town Board does hereby approve the Regular Town Board Meeting Minutes held on April 6, 2016, Executive Sessions: April 6 & 13, 2016, 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 Re-appointment to Planning Board

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

RESOLVED, that the Town Board does hereby re-appoint David Kaczor to the Planning Board for a seven (7) year term ending December 31, 2022.

The resolution was unanimously adopted.

New Business #1 Award contract for the Generator Diesel Tank Removal Project

3) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN MAJCHRZAK, WHO MOVED ITS ADOPTION, SECONDED BY SUPRVISOR KEEM, TO WIT:

WHEREAS, bids were received from four local companies for the Generator Diesel Tank Removal Project at the Municipal Center. The project was bid informally on a lump sum basis for a complete underground fuel tank removal. The bids were as follows; Russo Development - \$17,000.00, The Pump Doctor - \$15,200.00, Zoladz Construction - \$13,465.00 and Nature's Way Environmental - \$11,250.00. The Engineering Department has reviewed the bids of the four contractors who submitted proposals, and

WHEREAS, the low bidder for this project, Nature's Way Environmental Consultants & Contractors, Inc. (NWECC&C), has successfully completed similar projects in the Western New York area. Nature's Way Environmental has been found to have the qualifications and experience to perform this work adequately, and

WHEREAS, there is presently a balance of \$9,242.10 plus interest allocated under Capital H-88 "Municipal Buildings". In addition, the Town BAN included this work under Municipal Building funding.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby award the contract for the Municipal Center – Underground Fuel Tank Removal Project to the lowest responsible bidder, Nature's Way Environmental Consultants & Contractors, Inc. 3553 Crittenden Road, Alden, New York 14004 in the amount of \$11,250.00, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #2 Award contract for Yates Park Splash Pad-Surface Replacement Project

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

WHEREAS, the original Yates Park splash pad rubber surface was warrantied for 2 years from the manufacturer. The Town's surface has lasted 8 years, being originally installed in 2007. The new proposed replacement system (Aqua-Flex) is warrantied for 3 years and is expected to last much longer for the Yates Park Splash Pad application, and

WHEREAS, bids were received from three bidders for the above referenced project. The project was bid informally on a lump sum basis for a complete surface removal and replacement using the new Aqua-Flex System. The bids were as follows; Playsites Plus Surfaces, Inc. - \$46,525.00, Surface America, Inc. - \$19,235.00 and Valley View Enterprise LLC. - \$18,972.00. The Engineering Department has reviewed the lump sum bids of the three contractors who submitted proposals. The lowest responsible bidder was Valley View Enterprise LLC., with a bid of \$18,972.00, and

WHEREAS, the low bidder for this project Valley View Enterprise LLC., has successfully completed similar projects in surrounding Municipalities. Valley View Enterprise is an authorized installer of the Aqua-Flex System, and

WHEREAS, the Parks Department capital account was closed and per the Parks & Grounds Department no additional funding was provided for maintenance in the Parks and Grounds budget. There is presently a balance of \$311,552.23 plus interest allocated under Recreation Fee account T.0000.0037.0737 that could be transferred,

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby Authorize the creation of Capital Account H-20 "Green Lake Splash Pad", and be it further

RESOLVED, that the Town Board does hereby authorize the transfer of \$20,000 from T.0000.0037.0737 Recreation Fee account to H-20 Green Lake Splash Pad, and be it further

RESOLVED, that the Town Board does hereby award the contract for the Green Lake Splash Pad – Surface Replacement Project to the lowest responsible bidder, Valley View Enterprise LLC., 1 Main Street (Lower #3), Hamburg, NY 14075 in the amount of \$18,972.00, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #3 Supervisor to sign Civil Service Statement for Creation of Civil Engineer position

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

WHEREAS, with the resignation of Jason Doktor, the Town Board on March 1, 2016 approved the Advertisement for the vacated Assistant Civil Engineering Position. Per Civil Service, there is currently not an active civil service list for that title, but a current "Civil Engineer" civil service title list is available. As you may recall, this same title was offered to Jason Doktor, and

WHEREAS, with the current work load of the Engineering Department, this title is recommended to assist in completing the various projects that develop as the Town's Infrastructure ages, and

WHEREAS, this is a replacement Engineering Department position which is currently funded with the 2016 budget. Wage range recommended is the same as the current Asst. Civil Engineer Title Union range 0013 \$25.54-\$33.16/hr. (\$53,327-\$69,238).

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby approve the creation of the civil service classification title Civil Engineer, to be added to the Union wage scale range 0013, in the Orchard Park Engineering Department and authorize the Supervisor to sign the Position Duties Statement in order to canvas the Civil Engineering civil service list, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #4 Approve final payment to Sergi Const. for Green Lake Dam Sanitary Sewer

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

WHEREAS, the Green Lake Dam Rehabilitation Sanitary Sewer Relocation Project construction is complete. The work was completed by lump sum bid, was inspected by the Engineering Department, and was satisfactorily completed in accordance with Town standards and specifications. The Town Board awarded this project as an informal bid on March 16, 2016, a two-year maintenance bond and other associated legal documents are not required,

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby approve the Final Payment to Sergi Construction Inc., 775 Jewett Holmwood Road, East Aurora, New York 14052 for the Green Lake Dam Rehabilitation Sanitary Sewer Relocation Project in the amount of \$23,269.00, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #5 Award Contract for Brick Walkways & Patio area around Jolls Building

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

WHEREAS, the brick walkways and patio around the Jolls Building are in disrepair, and tree roots are pushing up the bricks in the walkway, and

WHEREAS, bids were solicited for the Brick Walkways and Patio Project around the Jolls Building. The project scope of work is to remove and clean existing brick, evaluate and recondition base where needed, and relay brick with edge restraint and compact it, and

WHEREAS, bids are as follows: T&R Seasonal services - \$16,830.00, Lehner Masonry - \$39,506.00 and Property Accents - \$57,669.71, with T&R Seasonal as the low bidder

NOW, THEREFORE, be there

RESOLVED, that the Town Board does hereby award the contract for the Jolls Building Brick Walkway and Patio Project to T&R Seasonal Services, 6413 W. Quaker St., Orchard Park in an amount of \$16,830.00, with funds to come from Capital project budget line A.1620.0446.

The resolution was unanimously adopted.

New Business #6 Appointment to part-time summer help for grounds of Municipal Center

This item was tabled.

New Business #7 Approve 2016 Stable Permit for Sandybrook Farm & Stable, 6265 Powers Rd.

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

RESOLVED, that the Town Board does hereby approve the 2016 Stable Permit for Sandybrook Farm & Stable, 6265 Powers Rd. Orchard Park, as recommended by Code Enforcement.

The resolution was unanimously adopted.

New Business #8 Appointment to Orchard Park Compost Site

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

RESOLVED, that the Town Board does hereby appoint Rodger Meissner to the part-time seasonal position at the Compost site, at a rate of \$20.00 an hour, PT11, Step 3, effective April 4, 2016, as recommended by the Highway Superintendent.

The resolution was unanimously adopted.

New Business #9 Appointments to Parks & Grounds at Milestrip Rd. Site

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

RESOLVED, that the Town Board does hereby approve the following part-time seasonal appointments to the Parks & Grounds at Milestrip Road Complex effective April 19, 2016, as recommended by the Highway Superintend: Lynn Reynolds, PT11, Step 3 at a rate of \$20.00 an hour; Julie Fregelette, PT4, Step 4 at a rate of \$12.00 an hour; and Gerald V. Meissner, PT4, Step 4 at a rate of \$12.00 an hour

The resolution was unanimously adopted.

New Business #10 Free Mulch Day

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

RESOLVED, The Town Board does hereby establish the annual "Free Mulch Day" for the residents of Orchard Park to be held on Saturday, May 14, 2016, from 8:00am to 4:00pm. The rates are as follows: 1st cubic yard- Free, second cubic yard \$7.50 and any more cubic yards would be full price at \$15.00 a cubic yard.

The resolution was unanimously adopted.

New Business #11 Spring/Summer part-time staff appointments for Recreation Department.

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

RESOLVED, that the Town Board does hereby appoint the following to the Town of Orchard Park Recreation Department as part-time seasonal staff. The appointments are dependent upon the applicant providing the required certifications, as recommended by the Recreation Director.

2016 Spring Seasonal part time Staff Appointments effective 4/26/16

<u>Name</u>	<u>Rate</u>	<u>Position (Title)</u>
Camryn Backman	\$10.00	PT3-A (Att)
Sue Hemingway	\$12.50	PT5-A (Att)

2016 Summer Seasonal part time Staff Appointments effective 6/1/16

<u>Name</u>	<u>Rate</u>	<u>Position (Title)</u>	<u>Name</u>	<u>Rate</u>	<u>Position (Title)</u>
Margaret Ahern	\$9.00	PT2-B (Att)	Mary Fasolino	\$9.00	PT2-B (Att)
Caitlin Allaire	\$9.50	PT2-D (Att)	Megan Filipski	\$10.50	PT3-C (LG)
Daniel Anderson	\$9.00	PT2-B (Att)	Emma Freedenberg	\$9.50	PT2-D (Att)
Katie Augustine	\$13.50	PT5-E (Att)	Brianna Fulton	\$9.50	PT2-D (Att)
Nicole Augustine	\$13.50	PT5-E (LG)	Clayton Galas	\$9.00	PT2-B (Att)
Camryn Backman	\$10.00	PT3-A (Att)	Erin Gawlak	\$9.00	PT2-B (Att)
Kevin Batorski	\$9.50	PT2-D (LG)	Emily Geiger	\$10.50	PT3-C (LG)
Elizabeth Battaglia	\$9.00	PT2-B (Att)	Kathryn Gossel	\$9.50	PT2-D (Att)
Jessica Battaglia	\$9.50	PT2-D (LG)	Kevin Gonser	\$9.50	PT2-D (LG)
John Boncaldo	\$10.00	PT3-A (Att)	Shannon Goodman	\$10.50	PT3-C (LG)
Nathaniel Burnard	\$9.00	PT2-B (Att)	Samuel Gura	\$9.50	PT2-D (Att)
Ana Canale	\$9.00	PT2-B (Att)	Sarah Gura	\$9.50	PT2-D (Att)
Catherine Capriotto	\$9.00	PT2-B (Att)	Randall Gyergyek	\$9.00	PT2-B (Att)
Cayley Brege	\$9.50	PT2-D (Att)	Kaylee Harrigan	\$9.50	PT2-D (Att)
Meghan Clough	\$13.50	PT5-E (Att)	Sue Hemingway	\$12.50	PT5-A (Att)
Corinne Christopherson	\$9.50	PT2-D (Att)	Riley Heywood	\$10.50	PT3-C (LG)
Joel Christopherson	\$9.00	PT2-B (Att)	Taylor Heywood	\$9.50	PT2-D (Att)
Emily Crow	\$9.50	PT2-D (Att)	Rebecca Higgins	\$9.50	PT2-D (Att)
Nicholas Darling	\$9.00	PT2-B (Att)	Elizabeth Hinterberger	\$9.50	PT2-D (Att)
Morgan Doyle	\$10.50	PT3-C (LG)	Karli Hollins	\$10.00	PT3-A (Att)
Claire Dunwoodie	\$9.50	PT2-D (Att)	Brandon Hoth	\$9.50	PT2-D (Att)
Elizabeth Egloff	\$12.00	PT4-D (Att)	Kailynn Janaski	\$9.50	PT2-B (Att)
Thomas Endress	\$9.50	PT2-D (Att)	Douglas Jankowiak	\$10.50	PT3-C (Att)
Sarah Eneix	\$9.50	PT2-D (Att)	Emily Jankowiak	\$10.50	PT3-C (Att)

Kelly Jasiura	\$9.50	PT2-D (Att)	Liam Reed	\$10.50	PT3-C (LG)
Erin Joyce	\$9.00	PT2-B (Att)	Allison Regan	\$9.00	PT2-B (Att)
Grant Karlson	\$9.50	PT2-D (Att)	Maxim Reilly	\$10.50	PT3-C (LG)
Margaret Karnath	\$9.00	PT2-B (Att)	Olivia Reindl	\$10.50	PT3-C (Att)
Melissa Kennedy	\$9.00	PT2-B (Att)	Allison Regan	\$9.00	PT2-B (Att)
Jorolan Keough	\$10.50	PT3-C (LG)	Sarah Ryan	\$9.50	PT2-D (LG)
Bailey King	\$9.50	PT2-D (Att)	Joshua Saville	\$9.50	PT2-D (Att)
Florence Kirkner	\$11.25	PT4-A (Att)	Timothy Saville	\$9.50	PT2-D (Att)
Katherine Kota	\$9.00	PT2-B (Att)	Maggie Scanlon	\$10.00	PT2-D (Att)
Kenneth Kota	\$9.00	PT2-B (Att)	Mary Schichtel	\$10.50	PT3-C (Att)
Kenneth Kruszka	\$9.50	PT2-D (LG)	Tiffany Schierlitz	\$9.00	PT2-B (Att)
Salvatore LaDuca	\$16.50	PT7-E (Att)	Courtney Schmidt	\$9.50	PT2-D (Att)
Evan LoVullo	\$9.50	PT2-D (Att)	Kyle Schmitt	\$10.00	PT2-D (Att)
Brian Manley	\$9.50	PT2-D (LG)	Heidi Schneider	\$9.50	PT2-D (Att)
Jason Manley	\$9.50	PT2-D (Att)	Alicia Sciolino	\$10.50	PT3-C (Att)
Victoria Mann	\$9.50	PT2-D (Att)	Katelyn Sciolino	\$9.00	PT2-B (Att)
Janet Marks	\$15.00	PT6-D (Att)	Jennifer Sienkiewicz	\$13.50	PT5-E (Att)
Lindsey Martello	\$9.00	PT2-B (Att)	Amanda Simone	\$9.00	PT2-B (Att)
Bethany Mattina-Chmiel	\$9.50	PT2-D (Att)	Jacob Simonsen	\$9.50	PT2-D (LG)
Mason McMullen	\$10.50	PT3-C (LG)	Kristen Stanek	\$9.50	PT2-D (LG)
Travis McNichol	\$9.50	PT2-D (LG)	Tara Strade	\$9.00	PT2-B (Att)
Megan Melisz	\$9.00	PT2-B (Att)	Alexis Tarnowski	\$13.50	PT5-E (LG)
Emily Mielcarek	\$10.50	PT3-C (Att)	Deborah Todero	\$10.00	PT3-A (Att)
Michael Mielcarek	\$9.50	PT2-D (LG)	Jessica Urbank	\$9.50	PT2-D (Att)
Ava Mrozik	\$9.50	PT2-D (Att)	Megan Urbank	\$9.00	PT2-B (Att)
Matthew Pascall-Condida	\$9.50	PT2-D (LG)	Daniel Vail	\$10.50	PT3-C (LG)
Andrea Pawarski	\$12.00	PT4-D (Att)	Michelle Vasiloff	\$9.50	PT2-D (LG)
Rolando Rojas	\$9.00	PT2-B (Att)	John Wellington	\$9.00	PT2-B (Att)
Autumn Roza	\$9.00	PT2-B (LG)	Luke Wellington	\$9.50	PT2-D (LG)
Rebekah Quinlivan	\$10.50	PT3-C (LG)	Darcy Zappia	\$10.50	PT3-C (Att)
Nicholas Ramage	\$12.50	PT5-A (Att)			

The resolution was unanimously adopted.

BUSINESS FROM THE FLOOR

No one spoke.

ELECTED OFFICIALS & DEPARTMENT HEADS

Supervisor Keem attended the Rural Transit Volunteer Recognition Day, for Rural Transport Services. They are a non-profit transportation service in Erie County, and their main purpose is to provide transportation to seniors, low or moderate income individuals and disabled clients to doctor appointments, physical therapy, shopping etc. Every year Rural Transit hosts a luncheon to thank the volunteers, there are over 130 volunteers providing in excess of 16,000 safe rides a year. Among all the towns in Erie County, Orchard Park has the greatest number of volunteers. If anyone wishes to volunteer, call the Supervisor's office.

Councilman Sherry stated that they had the presentation for Communities Activities Center last week, and there are a lot of emails coming in support of the Center, and there are a lot of questions too. He wants to encourage the feedback and questions from the community. They continue to work with the architects, they are scrubbing the numbers right now to become a little more specific on the general figures they gave to the Town. As more information comes in, they will be sharing it with the residents.

Superintendent Piasecki said that the Brush Contractor is starting the week of May 2nd. Highway and Parks are doing the cleanup work. At the compost site, Saturday hours are starting May 7th, from 8:00am to 12:00 noon and free mulch day will be May 14th from 8:00am to 4:00pm. He also stated that the State has come through with some extra money through their CHIPS program and it is called Local Pave New York \$35,328.36 in addition to the regular CHIPS funds of \$15,772.47.

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

RESOLVED, that the Town Board does hereby authorize the approval of all entries on Warrant #8 following auditing by members of the Town Board and in the funds indicated:

General Fund	\$42,182.45
Public Safety Fund	\$44,545.78
Part Town Fund	\$ 187.75
Risk Retention	-0-
Cemetery Fund	-0-
Highway Fund	\$28,417.00
Special Districts	\$28,782.72
Trust & Agency	\$357.50
Capital Fund	\$23,775.00

The resolution was unanimously adopted.

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

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

- Thank you letter from Assemblyman Joseph M. Giglio responding to the Town Board's resolution regarding the improvement of the New York State Property Tax Cap.

The resolution was unanimously adopted.

There being no further business, on a motion by Supervisor Keem, seconded by Councilman Majchrzak, the meeting adjourned at 7:22 pm (local time).

Respectfully Submitted,



Remy Orffeo
Appointed Town Clerk