

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 April 2015 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	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 **April 1, 2015**, and Executive Sessions: **April 1 & 8, 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 Building Permit expanding the West Herr Chrysler-Jeep parking lot.

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

WHEREAS, 3621 Southwestern Boulevard, West Herr Chrysler-Jeep, has petitioned the Town for a Building permit for the purpose of expanding the West Herr parking lot.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby approve a Building Permit for 3621 Southwestern Blvd, West-Herr Chrysler-Jeep, for the previously approved site plan for the purpose of expanding the West Herr parking lot as recommended by the Planning Board, with the following conditions and stipulations.

1. The Town Board rezoned the property from R-3 to B-2 on 8/21/13, and a Negative SEQR Declaration was made based on the submitted Short EAF, Parts One and Two. The Applicant merged the parcel with the adjacent parcel and it is now known as 3621 Southwestern Blvd.
2. Acreage fees were paid in accordance with Section 144 Attachment (C) Schedule of Zoning Fees of the Town Code.
3. This recommendation is contingent upon the applicant completing the project as proposed on the preliminary development plans received on 3/16/15, or the property shall revert to its original zoning classification if the project is not completed per Section 144-67 of the Town Code.
4. The screening is delineated on the Landscape Plan received 3/16/15, is acceptable.

5. It is fully understood that the parking area created from this merger of property will be for vehicle storage only, and not utilized as a servicing staging area.
6. Town Engineering Approval was granted on 4/1/15.
7. Light fixtures along Webster Road shall have house shields, and a second lighting plan shall be submitted detailing the overnight lighting levels for approval by the Planning Board Chair.

The resolution was unanimously adopted.

Old Business #2 Town Board to seek lead agency status for Community Credit Union.

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

RESOLVED, that the Town Board hereby seek lead agency status for the “Community Credit Union”, to be located on vacant land on the northwest corner of Orchard Park Rd. & Eagle Brook Dr., based on Local law # 8-2014, and the submitted Long EAF, Part 1, and be it further

RESOLVED, that the Town Board does hereby declare this project a Type 1 SEQR Action, as recommended by the Planning Board.

The resolution was unanimously adopted.

Old Business #3 Set Public Hearing to rezone 5285 Chestnut Ridge Rd from R-3 to R-3 “SR”.

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

RESOLVED, that the Town Board does hereby set a Public Hearing for 7:00 PM on May 20, 2015 in the matter of James Jerge’s request to rezone property at 5285 Chestnut Ridge Rd. from R-3 to R-3 “SR” Senior Residential Designation.

The resolution was unanimously adopted.

Old Business #4 Set Public Hearing for “Special Exception Use Permit” for 4460 Abbott Road.

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

RESOLVED, that the Town Board does hereby set a Public Hearing for 7:00 PM on May 20, 2015 in the matter of Quaker Estates 1 LP request for a “Special Exception Use Permit” to construct an Apartment Building.

The resolution was unanimously adopted.

Old Business # 5 Change Order #1 for Orchard Park Municipal Building “Mechanical Project”.

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

WHEREAS, the Engineering Department does request Town Board approval of a Change Order to the contract with MLP Plumbing & Mechanical, Inc. for the Orchard Park Municipal Building “Mechanical & Electrical Systems” Repairs Project in the amount of \$948.44. If approved, this would increase the total contract amount to \$317,448.44, representing an increase of 0.3%, and

WHEREAS, this Change Order is requested to perform additional work not covered under their contract. The new fuel tank requires 4 lines ran to the outside of the building. The plans and specifications call for 3 lines and after a meeting with the tank manufacturer on site, it was relayed to all parties that the code now requires 2 – 2” lines and 2 – 4” lines ran outside of the building to the atmosphere, and

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby approve Change Order #1 to our contract with MLP Plumbing and Mechanical Inc. for the Orchard Park Municipal Building “Mechanical Project” Repairs Project in the amount of an increase of \$948.44 as recommended by the Town Engineer.

The resolution was unanimously adopted.

Old Business # 6 Change Order #1 for the “Orchard Park Electrical Project”.

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

WHEREAS, The Engineering Department does request Town Board approval of a Change Order to the contract with M&M Electric Construction Co. Inc. for the Orchard Park Municipal Building “Mechanical & Electrical Systems” Repairs Project in the amount of \$2,175.00. If approved, this would increase the total contract amount to \$49,925.00, representing an increase of 4.55%, and

WHEREAS, This Change Order is requested to perform additional work not covered under their contract. The additional work involves adding a temporary feed from the generator to the transfer switch. This involves core drilling & patching holes, renting 200 amp cables, disconnecting and reconnecting the cables 4 times, and

WHEREAS, This change is needed so the Police Department is not taken out of backup power capability, while the permanent work is done to the generator switch and docking station, and

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby approve Change Order #1 to our contract with M&M Electric Construction Co. Inc. for the Orchard Park Municipal Building “Mechanical & Electrical Systems” Repairs Project in the amount of an increase of \$2,175.00, as recommended by the Town Engineer.

The resolution was unanimously adopted.

Old Business #7 5928 Armor Duells Road as Dangerous & Unsafe.

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

WHEREAS, the property at 5928 Armor Duells Rd has been in a deplorable condition since 2012 and has been a court case started by the Building Inspector’s Office since March 2014, and

WHEREAS, the Supervising Building Inspector has submitted a report to the Town Board pursuant to Chapter 47 of the Orchard Park Town Ordinance in the matter of that building,

NOW, THEREFORE, be it

RESOLVED, that the Town Board declare the property at 5928 Armor Duells Road as Dangerous and Unsafe and direct the Town Attorney to begin the process for removal or repair as outlined in the Town Code.

The resolution was unanimously adopted.

New Business #1 2015 Summer Seasonal Staff for the Recreation Department.

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

RESOLVED, that the Town Board to authorize the appointment of the 2015 Summer Seasonal Staff for the Recreation Department, and appointments are dependent upon the applicants providing all the required certifications, as recommended by the Recreation Director.

Item 1: 2015 Summer Seasonal part-time staff appointments effective 6/1/15

<u>Name</u>	<u>Rate</u>	<u>Position</u>	<u>Title*</u>	<u>Name</u>	<u>Rate</u>	<u>Position</u>	<u>Title*</u>
Lyndsay Albert	\$9.00	PT2-B	(LG)	Kenneth Kruszka	\$9.00	PT2-B	(LG)
Caitlin Allaire	\$9.00	PT2-B	(Att)	Salvatore LaDuca	\$16.50	PT7-E	(Att)
Liam Allman	\$11.00	PT3-E	(Att)	Evan LoVullo	\$9.00	PT2-B	(Att)
Vera Angelina	\$9.00	PT2-B	(Att)	Brian Manley	\$9.50	PT2-D	(LG)
Katie Augustine	\$12.00	PT4-D	(Att)	Jason Manley	\$9.00	PT2-B	(Att)
Nicole Augustine	\$12.00	PT4-D	(LG)	Victoria Mann	\$9.00	PT2-D	(Att)
Emily Badagliacca	\$9.00	PT2-B	(Att)	Janet Marks	\$12.50	PT5-A	(Att)
Sarah Badagliacca	\$10.50	PT3-C	(LG)	Lindsey Martello	\$9.00	PT2-B	(Att)
Kevin Batorski	\$9.50	PT2-D	(LG)	Bethany Mattina-Chmiel	\$9.50	PT2-D	(Att)
Jessica Battaglia	\$11.00	PT3-E	(LG)	Anabelle McDonald	\$9.50	PT2-D	(Att)
Shannon Bermingham	\$9.00	PT2-B	(LG)	Katherine McGarrity	\$9.50	PT2-D	(Att)
Darianna Borowiec	\$12.00	PT4-D	(Att)	Mason McMullen	\$9.00	PT2-B	(LG)
Cayley Brege	\$9.50	PT2-D	(Att)	Travis McNichol	\$9.50	PT2-D	(LG)
Garret Brown	\$9.00	PT2-B	(Att)	Richard Merlino	\$9.00	PT2-B	(Att)
Isaac Brunner	\$9.00	PT2-B	(LG)	Allie Metzger	\$11.00	PT3-E	(Att)
Andrea Buchanan	\$9.50	PT2-D	(Att)	Emily Mielcarek	\$9.50	PT2-D	(Att)
Joel Camito	\$9.00	PT2-B	(Att)	Michael Mielcarek	\$9.50	PT2-D	(LG)
Nathan Castilloux	\$9.00	PT2-B	(LG)	Ava Mrozik	\$9.00	PT2-B	(Att)
Anthony Cimorelli	\$9.50	PT2-D	(Att)	John Owczarczak	\$9.00	PT2-B	(Att)
Harrison Clough	\$9.50	PT2-D	(Att)	Mary Owczarczak	\$9.50	PT2-D	(Att)
Meghan Clough	\$12.00	PT4-D	(Att)	Matthew Pascall	\$9.00	PT2-B	(LG)
Corinne Christopherson	\$9.50	PT2-D	(Att)	Andrea Pawarski	\$12.00	PT4-D	(Att)
Emily Crow	\$9.50	PT2-D	(Att)	Noelle Poloncarz	\$9.00	PT2-B	(Att)
John DeLuca	\$9.00	PT2-B	(Att)	John Quinlan	\$9.00	PT2-B	(LG)
Morgan Doyle	\$9.50	PT2-D	(LG)	Rebekah Quinlivan	\$9.00	PT2-B	(LG)
Claire Dunwoodie	\$9.50	PT2-D	(Att)	Alicia Ralph	\$9.00	PT2-B	(Att)
Elizabeth Egloff	\$9.50	PT2-D	(Att)	Anne Randle	\$9.50	PT2-D	(Att)
Thomas Endress	\$9.00	PT2-B	(Att)	Erin Rapp	\$11.00	PT3-E	(Att)
Sarah Eneix	\$9.50	PT2-D	(Att)	Margaret Rapp	\$9.00	PT2-B	(Att)
Emily Feldman	\$12.00	PT4-D	(Att)	Emily Rattanaphasouk	\$9.50	PT2-D	(Att)

<u>Name</u>	<u>Rate</u>	<u>Position</u>	<u>Title*</u>	<u>Name</u>	<u>Rate</u>	<u>Position</u>	<u>Title*</u>
Megan Filipski	\$9.00	PT2-B	(LG)	Liam Reed	\$10.50	PT3-C	(LG)
Emily Fleetwood	\$12.00	PT4-D	(Att)	Allison Regan	\$9.00	PT2-B	(Att)
Alex Freedenberg	\$10.50	PT3-C	(LG)	Maxim Reilly	\$9.00	PT2-B	(LG)
Emma Freedenberg	\$9.00	PT2-B	(Att)	Olivia Reindl	\$9.00	PT2-B	(Att)
Benjamin Frost	\$9.50	PT2-D	(LG)	Rachael Reimondo	\$12.50	PT5-A	(Att)
Brianna Fulton	\$9.00	PT2-B	(Att)	Allison Regan	\$9.00	PT2-B	(Att)
Liam Gallagher	\$9.50	PT2-D	(LG)	Bradley Roman	\$9.00	PT2-B	(Att)
Emily Geiger	\$10.50	PT3-C	(LG)	Samantha Ruszczyk	\$9.00	PT2-B	(Att)
Nichole Geiger	\$11.00	PT3-E	(LG)	Sarah Ryan	\$9.50	PT2-D	(LG)
Kevin Gonser	\$9.50	PT2-D	(LG)	Megan Sarles	\$9.50	PT2-D	(Att)
Shannon Goodman	\$10.50	PT3-C	(LG)	Joshua Saville	\$9.50	PT2-D	(Att)
Kathryn Gossel	\$9.00	PT2-B	(Att)	Timothy Saville	\$9.00	PT2-B	(Att)
Samuel Gura	\$9.50	PT2-D	(Att)	Mary Schichtel	\$15.00	PT6-D	(Att)
Sarah Gura	\$9.50	PT2-D	(Att)	Courtney Schmidt	\$9.50	PT2-D	(Att)
Sarah Haley	\$9.50	PT2-D	(Att)	Kyle Schmitt	\$9.50	PT2-D	(Att)
Derek Hall	\$9.00	PT2-B	(LG)	Heidi Schneider	\$9.00	PT2-B	(Att)
Kaylee Harrigan	\$9.00	PT2-B	(Att)	Jessica Schneider	\$11.00	PT3-E	(Att)
Adam Hasasneh	\$9.00	PT2-B	(Att)	Christi Schultz	\$9.50	PT2-D	(Att)
Riley Heywood	\$9.00	PT2-B	(LG)	Alicia Sciolino	\$9.00	PT2-B	(Att)
Taylor Heywood	\$9.50	PT2-D	(Att)	Amanda Simone	\$9.00	PT2-B	(Att)
Rebecca Higgins	\$9.50	PT2-D	(Att)	Jacob Simonsen	\$9.00	PT2-B	(LG)
Elizabeth Hinterberger	\$9.00	PT2-B	(Att)	Madelyn Sheehan	\$9.50	PT2-D	(Att)
Madison Hornung	\$12.00	PT4-D	(Att)	Rhiannon Slowik	\$9.50	PT2-D	(Att)
Brandon Hoth	\$9.00	PT2-B	(Att)	Adelle Smaszcz	\$9.00	PT2-B	(Att)
Alexandra Hughlett	\$10.50	PT3-C	(LG)	Kristen Stanek	\$9.50	PT2-D	(LG)
Emily Izydorczak	\$9.00	PT2-B	(Att)	Alexis Tarnowski	\$12.00	PT4-D	(LG)
Kailynn Janaski	\$9.00	PT2-B	(Att)	Courtney Thornton	\$10.50	PT3-C	(LG)
Douglas Jankowiak	\$12.00	PT4-D	(Att)	Alex Tripi	\$9.50	PT2-D	(Att)
Emily Jankowiak	\$12.00	PT4-D	(Att)	Jessica Urbank	\$9.00	PT2-B	(Att)
Kelly Jasiura	\$9.50	PT2-D	(Att)	Megan Urbank	\$9.00	PT2-B	(Att)
Rachel Johnson	\$9.50	PT2-D	(Att)	Michelle Vasiloff	\$9.50	PT2-D	(LG)
Grant Karlson	\$9.50	PT2-D	(Att)	David Violanti	\$9.50	PT2-D	(LG)
Kory Kazinski	\$9.50	PT2-D	(Att)	Kara Weigel	\$9.00	PT2-B	(Att)
Georgio Khousy	\$9.00	PT2-B	(Att)	John Wellington	\$9.00	PT2-B	(Att)
Bailey King	\$9.50	PT2-D	(Att)	Luke Wellington	\$9.50	PT2-D	(LG)
Danielle King	\$9.50	PT2-D	(Att)	Aaron Wojnicki	\$9.50	PT2-D	(LG)
Florence Kirkner	\$11.25	PT4-A	(Att)	Jacob Wojnicki	\$9.50	PT2-D	(LG)
				Christian Zimmerman	\$9.00	PT2-B	(Att)

Item 2: 2015 Seasonal Part Time Appointment effective as of May 23, 2015

<u>Name</u>	<u>Rate</u>	<u>Position</u>	<u>Title*</u>
Jordyn Broas	\$10.50	PT3-C	(Att)

The resolution was unanimously adopted.

New Business #2 Town Historian & Historic Preservation Board Chair, to attend Conference.

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 approve the request of Susan Kulp, Town Historian, and Norm Stoj, Chairman of the Historic Preservation Board, to attend the Landmark Society Conference to be held on April 16 to 18, 2015 in Geneva, New York, the money is in the budget.

The resolution was unanimously adopted.

New Business #3 Agreement for Sanitary Sewer Pump Station Elimination Evaluation Project.

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

WHEREAS, the Mid County Sanitary Sewer Pumping Station (station) is in need of total replacement. The station was constructed in 1972 and is the oldest station within the Town maintained sanitary sewer system. There have been a series of recent mechanical/electrical failures that have resulted in expensive emergency repairs. The Engineering Department has completed preliminary drawings to eliminate the station by the installation of a two possible gravity sanitary sewer alignments although both have construction constraints. The chosen alignments along with the option for complete station replacement must be evaluated by a life-cycle cost benefit analysis, and

WHEREAS, the Engineering Department has received qualification submittals from Conestoga-Rovers & Associates (CRA). CRA is the firm selected Town wide by the community for the Sanitary Sewer Study. The Town Engineer met with representatives of the firm to refine a scope of services and he believes that the scope of services and agreement with CRA is satisfactory and will accomplish the goals of the project as set forth by the Town. The work will be organized into two phases with Phase 1 comprising an engineering report with a life-cycle cost benefit analysis and a recommended course of action to replace or eliminate the station by gravity sewer. To keep costs down the Engineering Department will be providing all necessary topographic survey data, existing station maintenance records, preliminary gravity sewer alignment drawings, and record flow data. Phase 2 will consist of a design of the selected alternative from Phase 1 in addition to updating the Town's Standard Details for the installation of sanitary sewer pumping stations. A separate task proposal for Phase 2 will be provided upon the completion of Phase 1 for this project, and

WHEREAS, there is presently \$134,298.75 plus interest allocated under Capital Project H-35 for this project,

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the Supervisor to sign an agreement with Conestoga-Rovers & Associates, 285 Delaware Avenue, Buffalo, NY 14202 to provide professional services for the Mid County Pump Station Elimination Evaluation Project for a fee not to exceed \$9,700.00, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #4 Request Attendance to the NYSFSMA Annual Conference.

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

WHEREAS, this annual conference provides an opportunity for members and other professionals to get updates on regulations, network, exchange ideas while acquiring updated knowledge and tools to promote sound floodplain and stormwater management throughout New York State, and

WHEREAS, this conference will also provide Jason Doktor and Wayne Bieler the necessary continuing education credits to maintain our Floodplain Managers Certification,

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize Jason Doktor CFM and Wayne Bieler P.E. CFM of the Engineering Department to attend the NYSFSMA Floodplain and Stormwater Managers Association Annual meeting on April 28, 2015, the money is in the budget.

The resolution was unanimously adopted.

New Business #5 Advertise position for Crew Chief in the Sewer, Water and Lighting Department.

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

WHEREAS, the Town receiving the resignation of Dale Jolls from the position of General Crew Chief on April 7, 2015. The Engineering Department will work with Albert Marino, Assistant Crew Chief with Jason Doktor, Junior Engineer of the Engineering Department taking over some of the management duties in the interim, and

WHEREAS, the advertisement sheet states the General Crew Chief Job Requirements, Typical Work Activities, Full Performance Knowledge, Skills, Abilities & Personal Characteristics, and Minimum Qualifications.,

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the advertisement and posting for the position of General Crew Chief in the Sewer, Water, and Lighting Department at level stated in the non-union wage rate schedule.

The resolution was unanimously adopted.

New Business #6 Post for Seasonal Summer position for the Engineering Department.

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

RESOLVED, that the Town Board approves advertisement for a seasonal summer Engineering position fourteen-week period beginning May 11, 2015 at a wage rate of \$8.75-\$14.00/hour in the Orchard Park Bee.

The resolution was unanimously adopted.

New Business #7 Post for Seasonal Summer position for Sewer, Water and Lighting Department.

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

WHEREAS, Funds have been allocated in the 2015 budget for a seasonal employee in the Sewer, Lighting & Water Department.

NOW, THEREFORE, be it

RESOLVED, that the Town Board approves advertisement for seasonal summer position for the Sewer, Water and Lighting Department for a fourteen-week period beginning May 11, 2015 at a wage rate of \$8.75-\$14.00/hour in the Orchard Park Bee.

The resolution was unanimously adopted.

New Business #8 Purchase a Combination Truck for the Sewer, Water and Lighting Department.

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

WHEREAS, the Sewer, Water, and Lighting Department (SWLD) maintains approximately 135 miles of sanitary sewer lines. They have diligently maintained the sanitary sewer system with a 1992 1,500 gallon truck mounted sewer flusher. Consequently, the truck has reached its useful life with 100,000 plus miles, and

WHEREAS, it is recommended that the truck be replaced due to the increased frequency of mechanical failures. In addition, the high-pressure pump must be replaced at a significant cost, as it is not providing the proper pressure needed for thorough cleaning of the sewer line. Over the past 18 months, the department has evaluated the option to purchase another jetter or a combination truck, and

WHEREAS, with the current and forthcoming changes to sewer and storm water regulations and construction methods, a combination truck is an effective way to actively manage the Town's growing infrastructure, and

WHEREAS, five vendors, Vactor, Vac Con, Camel, Vac All, and Aquatech were contacted to provide demonstrations of their sewer combination trucks. All vendors provided demonstrations except Aquatech and therefore they were excluded from consideration, and

WHEREAS, in summary, the Sewer, Water and Lighting Department, and Engineering staff determined the Vactor will best-suit their requirements. Vactor has demonstrated to be reliable, easier and safer to operate, and will require less maintenance over the useful life of the truck, and

WHEREAS, there is a benefit for the Town to purchase a combination truck, as it will give the Town added flexibility to share services but again, this benefit can only be realized if the truck can be used for cleaning both the sanitary sewer and storm sewer systems and appurtenances. Whether the Town purchases a flushing truck or combination truck, the first priority of the truck must be to operate and maintain the sanitary sewer system, and

WHEREAS, the Town Engineer proposes that the truck be used to support the Highway Department with the measurable annual goals of the Stormwater Management Program. Our municipal pollution prevention/good housekeeping programs must continually evolve. They should be regularly evaluated and revised to respond to changes that occur within the community. When taking into consideration the wide range uses of a combination truck from a Town wide standpoint, the increase in costs can be easily realized and the truck would be an asset to the Town fleet, and

WHEREAS sufficient funds have been allocated in the Sewer, Water & Lighting Department Budget under Capital Reserve – Sewer & Water Equipment Acquisition (H-56) for the purchase,

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby declare the Sewer, Water & Lighting Department's 1992 Sewer Jet (VIN #1HTSCPER9PH472275) as surplus vehicle and authorize its sale, of which this vehicle will not be sold until the new vehicle is in house, and be it further

RESOLVED, that the Town Board authorize the purchase of a Vactor 2100 Plus Combination Single Engine Sewer Cleaner using the National Joint Powers Alliance for a cost not to exceed \$357,143.00, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #9 Abandonment of seven Alley/Streets be added by the Town Assessment Rolls.

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

WHEREAS, there was filed in the Erie County Clerk's office, on or about the 10th of June 1924, a purported Subdivision Map of a portion of Lot Number 31 in the town of Orchard Park, designated as Township 10, Range 8, said map having been filed in the Erie County Clerk's Offices under Cover Number 1216, which Subdivision is commonly known as "Morgan Heights", and

WHEREAS, said Subdivision, a varying number of Subdivision Lots, and the following street designations:

Adams Street

Pearl Street

Roosevelt Avenue

Windom Avenue

Central Avenue

Morgan Road (n/k/a Lake Avenue)

Monroe Street, and

WHEREAS, said alleys and/or streets were formally dedicated to the Town of Orchard Park, but the Subdivision was never developed, nor were the streets and alleys as indicated on said Map, and their possible use as public highway due to their designation as such on said Map, have created difficulties for the Town, and stimulated claims for services from the Town not required to be furnished by the Town, and have created little problems and ownership difficulties for property owners and have eliminated areas of land from the Assessment Rolls,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Orchard Park and the Town Highway Superintendent do hereby assert and record that they have and assert no claim to the streets/alleys on said purported Subdivision map, known as “Pearl Street” and “Roosevelt Avenue” not actually accepted by, or now maintained or serviced by said Town, and hereby abandon any claim to said streets/alleys designated on said Map, as set forth above, and be it further

RESOLVED, that said Town Board and Town Highway Superintendent hereby record, without prejudice, and as a matter of convenience, the areas to which claim is being abandoned would seem to revert, without liability or guaranty on the part of said Town Board and/or Town Highway Superintendent as to the legal effect or accuracy, and be it further

RESOLVED, that the areas to which claim is being abandoned by the Town of Orchard Park and the Town Highway Superintendent be added by the Town Assessment Rolls, and that the town Attorney records a copy of this Resolution in the Erie County Clerk’s Office and the Town Clerk give a copy thereof to each of the property owners listed below, and be it further

RESOLVED, that the following is a description of the apparent owner by S.B. L. Number, and of the portion of the street and alley to which claim is being abandoned by this Resolution:

<u>SBL Number</u>	<u>Record Owner</u>	<u>Portion Abandoned</u>
151.16-5-3	Paul Alabisi	Alley abutting Lot 3, East ½ of Pearl Street
151.16-5-7	Paul Alabisi	Alley abutting Lot 7, West ½ of Roosevelt Ave.
151.16-5-5.1	Paul Alabisi	Alleys abutting Lot 5.1, West ½ of Roosevelt Ave. And East ½ of Pearl Street
151.16-5-2.1	Hanifa Omerhodzic	Alley abutting Lot 2.1, West ½ of Pearl Street
152.13-5-50	Gertrude Damba	Alley abutting Lot 50, East ½ of Roosevelt
152.13-5-32	Fred Kokot	Alley abutting Lot 32, East ½ of Roosevelt Ave.
152.13-5-31	Melvyn Mesnekoff	Alley abutting Lot 31, East ½ of Roosevelt Ave.

The resolution was unanimously adopted.

New Business #10 Advertisement for Bidding for “Brush Pickup Contract”

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

RESOLVED, that the Town Board authorize the advertisement to bid the “Brush Pickup Contract” with the bid opening to be at 11:00am on Friday the 24th of April 2015 in the Supervisor’s Conference Room. All bids need to be in the Town Clerk’s Office by 11:00am.

The resolution was unanimously adopted.

New Business #11 Pricing for the compost and mulch at the Town Compost site.

19) 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 set the 2015 pricing for the compost and mulch at the Town Compost site, pricing is \$15.00 a cubic yard for resident of Orchard Park, and \$23.00 a cubic yard for non-residents.

The resolution was unanimously adopted.

New Business #12 Set "Free Mulch Day" Saturday, May 9, 2015 from 8:00am to 4:00pm.

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

RESOLVED, that the Town Board to set the "Free Mulch Day" on Saturday, May 9, 2015 from 8:00am to 4:00pm for the residents of Orchard Park. 1st cubic yard of mulch-free, 2nd cubic yard of mulch \$7.50 and 3rd or more cubic yards at full price of \$15.00.

The resolution was unanimously adopted.

New Business #13 Budget Amendment for the Town Justice Court in the amount of \$18,000.

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

WHEREAS, the Town Justice Court has been successful in obtaining a grant for the construction of a bathroom in the Court Clerk's Office and

WHEREAS, the Town Court Justice did not include either the grant revenues or the appropriations to provide these additional purchases in the year of 2015 adopted budget, and

WHEREAS, the Town Justice Court does desire to purchase the additional equipment with such grant funds,

NOW, THEREFORE, be it

RESOLVED, that the Town Board authorizes the amending of the 2015 adopted budget to authorize additional appropriations and estimated revenues of \$18,000.00:

Increase Appropriations:

PS.1110.0419 Public Safety – Other Expenses \$18,000.00

Increase Estimated Revenues:

PS.4000.3330 General – Court Asst. Program Grant \$18,000.00

The resolution was unanimously adopted.

New Business #14 Town Board to approve a 2014 Budget Amendment for the D.A.R.E. program.

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

WHEREAS, there is a deficit in the D.A.R.E. Expenditure Account but there are sufficient funds in the D.A.R.E. Reserve Account,

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby adopt the following 2014 Budget Amendment for the D.A. R.E. program.

Increase Appropriations:

A.2989.0419 – Dare Program Supplies \$2,112.94

Increase Estimated Revenues:

A.0000.0889 – D.A.R.E. Reserves

\$2,112.94

The resolution was unanimously adopted

New Business #15 Refer to the Conservation, Planning and Architectural Overlay District.

23) 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 refer to appropriate Board for review; Conservation, Planning Board, and/or Architectural Overlay District the following:

1. 7025 Ellicott Road, (at Ellicott & Scherff), Zoned B-2. John Ricotta is seeking approval to construct a second building on this parcel for a convenience store/restaurant, and would like to convert the current store into a hot dog/ice cream shoppe.
2. 3596 North Buffalo, Kevin Bieler, located on the west side of North Buffalo Road, south of Milestrip Road, Zoned B-3. Requesting a "Change-In-Use" permit to locate office of "Bieler Janitorial Services" in an existing residential house.

The resolution was unanimously adopted.

Not on Agenda. Extend current Memorandum of Understanding relating to Police Dispatch.

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

RESOLVED, that the Town Board does hereby authorize the Chief of Police to extend the Memorandum of Understanding regarding the Town Dispatchers.

The resolution was unanimously adopted.

NO BUSINESS FROM THE FLOOR

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

RESOLVED, that the Town Board does hereby approve the following budget transfer:

Highway:

From: DA.5110.0472 – Hwy. Stone, Gravel & Asphalt	\$19,000.00
To: DA.5142.0402 – Snow Supplies	\$19,000.00

Reason: Due to the severe winter, additional Salt and Grit/sand used for the public safety.

The resolution was unanimously adopted.

DEPARTMENT HEADS:

Supervisor Keem mentioned that this years' bid for Brush Pick Up includes a pre-bid meeting that will outline penalties if they don't get brush in a 2 week period to pick up brush so residents have brush picked up every 2 weeks. The Town board will be very firm to make sure it is done correctly. If we use our own highway department crews we will enforce charging the contractor a per hour fee.

Town Clerk Remy Orffeo stated that Item #3, the Public Hearing to rezone 5285 Chestnut Ridge Rd from R-3 to R-3 "SR", should include extending the notification to residents within 1,000 feet of this property verses the normal standard notification of 500 feet.

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

RESOLVED, that the Public Hearing to rezone 5285 Chestnut Ridge Rd from R-3 to R-3 "SR", include notification to residents within 1,000 feet of this property verses the normal 500 feet.

The resolution was unanimously adopted.

Police Chief Pacholec, drivers need to be aware of bike and foot traffic on the side of the road. Additionally, brush should not be put in the road, as it is a liability and safety issue.

Highway Superintendent Piasecki stated street sweeping crews have started, and rotate where finished last year, start the opposite way. Town brush crews, and leaf trucks are out in different zones. Compost site prices will be the same as last year.

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

WHEREAS, in anticipation of the Planning Board approval of the Birdsong Part 3B subdivision, this Department has received a request from Dominic Piestrak, the developer, to be allowed to begin clearing trees associated with the construction of this subdivision's infrastructure and fill placement in order to complete construction of the first phase and start home construction this season, and

WHEREAS, this request is also due to a new Federal interim ruling, which will go into effect this May 4, 2015 that would further delay start of construction. This Federal interim ruling adds the Northern Long-Eared Bat to the Federal Endangered and Threatened Wildlife and Plants Register. With the listing of the Northern Long-Eared Bat, comes protective measures with restrictions of tree removal dates. These restrictions include the limited clearing of trees to less than an acre and/or clearing of trees to extend limits of a Right-Of-Way to no more than 100-feet on a yearly basis for a given property/project. Furthermore, during the Northern Long-Eared Bats' pup season, no tree removals are permitted between June 1st and July 31st.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby allow Mr. Piestrak to start the clearing of trees for the purpose of constructing the subdivision and fill placement in future phases with the understanding that the developer is constructing the full size regional retention pond as designed to date in future phases, as recommended by the Planning Coordinator, the Planning Board Chairman, and Town Engineer.

The resolution was unanimously adopted.

Nicole Madison - Representative for Senator Mark Panepinto's Office and discussed the passing of the budget. Overall outlook is proud the budget provides increased investment in our ageing infrastructure and economic resurgence.

Nicole said that there is a tentative date for Community Issue Forums in Orchard Park on June 4, 2015 from 5 – 7 pm (location TBD) if residents want to speak to Senator Panepinto directly.

Councilman Majchrzak asked about the \$200,000 for the Green Lake Dam that was also promised, and a \$50,000 grant. Supervisor Keem asked about several grants promised from the last administration that Orchard Park still hasn't seen. Also told OP would receive \$21,500 for swim platform, boat dock, and still haven't heard anything more. Councilman Majchrzak said grant moneys promised are very important to Orchard Park, and one project that has to be funded, as mandated by the Federal Government, is the Green Lake Dam. Nicole stated that the Green Lake Dam funding is her top priority on her list.

28) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR KEEM, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER SHERRY, 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	\$41,572.47
Public Safety Fund	\$21,829.64
Part Town Fund	\$122.04
Risk Retention	\$763.27
Cemetery Fund	-
Highway Fund	\$14,391.27
Special Districts	\$399,490.72
Trust & Agency	\$69,112.13
Capital Fund	\$500.00

The resolution was unanimously adopted.

29) 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 Building Inspector Report for March 2015.

The resolution was unanimously adopted.

There being no further business, on a motion by Supervisor Keem, seconded by Councilmember Majchrzak, the meeting adjourned at 7:35 pm (local time).

Respectfully Submitted,



Remy Orffeo
Appointed Town Clerk