

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 18th day of May 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 May 4, 2016, Executive Sessions: May 4 & 11, 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.

PUBLIC INFORMATIONAL MEETING

Stormwater Phase II Annual Report coverage – SPDES – Informational Meeting

At this time the Town Engineer, Wayne Bieler, opened the informational meeting held in accordance with the Federal EPA Environmental Conservation Law, Clean Water Act, and Stormwater Phase II Regulations and NYSDEC requirements of the "State Pollutant Discharge Elimination System – SPDES", General Permit for Stormwater Discharge. This meeting is to allow the public to comment on the draft Stormwater Phase II Annual Report

Mr. Bieler stated that per the Federal EPA Environmental Conservation Law, Clean Water Act, and Stormwater Phase II regulations, the Town must submit to the NYS Department of Environmental Conservation, a Stormwater Management Program, and an Annual Report outlining the Town's progress in meeting the Notice of Intent (NOI) goals. The Annual Report must be submitted to the NYSDEC each year by June 1st.

No one came forward, and the meeting was closed.

Old Business # 1 Release of escrow for Knoche Farms Estates Subdivision project-PIP #2013-02

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

WHEREAS, on August 27, 2014, the Town Board accepted dedication of the public improvements constructed in Knoche Farms Estates Subdivision (PIP 2013-02) with the stipulation that funds paid by the developer be held in escrow ensuring that the topsoil was placed in either stockpiles, or spread to a minimum of 6-inches on all sublots (approximately 8.5-acres), or area vegetative growth suitable to prevent erosion within Knoche Farms Estates Subdivision, Phase 1 was established, and

WHEREAS, the developer has since maintained stockpiles of topsoil and the vegetative growth is established. The work was inspected by the Engineering Department and found to be in compliance with Town specifications,

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the Town Clerk to release to Knoche Farms LLC, the \$30,000 held in escrow for topsoil in the Knoche Farms Estates Subdivision Phase 1 (PIP #2013-02), as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #1 Receive and File the 2015 Comprehensive Annual Financial Report from Auditors

3) 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 receive and file the Comprehensive Annual Financial Report and the Statement of Changes in cash balances and statements of cash receipts and disbursements with the Town Clerk-Tax office and the Town Justice office for the year ending December 31, 2015. An Independent Auditors' Report is on file in the Town Clerk's office for review.

The resolution was unanimously adopted.

New Business #2 Authorize creation of an Engineering Draftsman position

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

WHEREAS, since July 2015 there has been a vacant position in the Engineering Department, with the resignation of Dean Franklin, Assistant Senior Engineer, CADD draftsman. After canvassing the new civil service list, none of the reachable candidates have extensive design CADD experience. The Engineering Department, with the help of Erie County Civil Service, checked for possible other approved Town titles available listed but no current list fell within the salary budgeted. The Engineering Draftsman would assist with the increase technical workload associated with CADD work maintaining the Town's increasing infrastructure, and

WHEREAS, with the current work load of the Engineering Department and as per Erie County Civil Service, the Engineering Draftsman title is recommended to assist in finding the skill set needed to complete CADD work for 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 Assistant Senior Engineer Title Union range 009, \$21.89 to \$28.85/hr. (\$45,706 to \$60,246)

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby approve the creation of the civil service classification title "Engineering Draftsman", to be added to the Union wage scale range 009, in the Orchard Park Engineering Department and authorize the Supervisor to sign the Position Duties Statement in order to call for the Civil Service test for the Engineering Draftsman position, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #3 Schedule Public Hearing for Local Law 2016-01 for Garbage, Refuse & Rubbish

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

RESOLVED, that the Town Board does hereby set a Public Hearing for June 1, 2016 in the matter of proposed Local Law 1-2016 amending the Town Code of Ordinance for Garbage, Refuse and Rubbish.

The resolution was unanimously adopted.

New Business #4 Schedule Public Hearing for Historic Designation for 4528 Freeman Rd.

6) 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 set a Public Hearing for June 15, 2016 in the matter of declaring a Historic Designation for 4528 Freeman Road, as requested by the owner Katheryn Bihr, and is contingent upon the applicant completing the application.

The resolution was unanimously adopted.

New Business #5 Accept resignation of Samuel McCune from the Orchard Park Youth Board

7) 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 accept, with regret, the resignation of Samuel M. McCune from the Orchard Park Youth Board. Mr. McCune is one of the founding members of the Youth Board and Youth Court.

Councilman Sherry said that he worked with Sam on the police force for about 25 years, and stated that he was passionate about the Youth Board, so much so, that even though he was retired and living in Pennsylvania, he has continued on this board. His resignation is for personal reasons.

The resolution was unanimously adopted.

New Business #6 Authorize Building Inspector to have 5490 Lake Ave. cleaned up

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

WHEREAS, Code Enforcement has been trying to get the owner of 5490 Lake Ave. to perform cleanup of the property, as it is being used as a storage area for his businesses, and to date they have not had much success, and they are receiving complaints about it.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the Building Inspector to have the property at 5490 Lake Ave. cleaned up with the cost to be applied to the tax roll of the property, as recommended by the Supervising Building Inspector.

The resolution was unanimously adopted.

New Business #7 Supervisor to sign Memorandum of Agreement

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

RESOLVED that the Town Board does authorize the Town Supervisor to sign a Memorandum of Agreement between THE TOWN OF ORCHARD PARK and CSEA, LOCAL 1000 AFSCME, AFL-CIO CSEA, authorizing the Chief of Police to assign Police Clerk, Raven Freeman to fill in temporarily for a Public Safety Dispatcher (“Dispatcher”) in the event of an emergency or to fill gaps in coverage due to vacation, leaves and other unforeseen circumstances affecting the Dispatcher staff, as recommended by the Town Labor Attorney. The Police Clerk will be paid at the rate of pay that a Dispatcher would be paid, based on the Employee’s length of service, for straight or overtime hours of work.

The resolution was unanimously adopted.

New Business #8 Approve Special Events in Town

10) 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 approve the following “Special Events” as recommended by the Recreation Director and the Chief of Police:

- Cystic Fibrosis Walk – Saturday May 21, 2016 (Pending approval of the OPPD)
- 5k Fitness Challenge – Sunday June 5, 2016

The resolution was unanimously adopted.

New Business #9 Appoint Summer Seasonal Help for Recreation Department

11) 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 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 Summer Seasonal part time Staff Appointments effective 6/1/16

<u>Name</u>	<u>Rate</u>	<u>Position(Title*)</u>
Thomas Egloff	\$9.00	PT2-B (Att)
Shannon Callaghan	\$10.00	PT3-A (LG)
Megan Sarles	\$9.50	PT2-D (Att)
Tucker Reddington	\$9.00	PT2-B (Att)

2016 Summer Seasonal part time Staff Appointments Rate Change effective 6/18/16

<u>Name</u>	<u>Old Rate</u>	<u>New Rate</u>	<u>Position(Title*)</u>
Kevin Batorski	\$9.50	\$10.00	PT3-A (LG)
Jessica Battaglia	\$9.50	\$10.00	PT3-A (LG)
Morgan Doyle	\$10.50	\$11.00	PT3-E (LG)

Megan Filipski	\$10.50	\$11.00	PT3-E (LG)
Kevin Gonser	\$9.50	\$10.00	PT3-A (LG)
Shannon Goodman	\$10.50	\$11.00	PT3-E (LG)
Riley Heywood	\$9.50	\$10.00	PT3-A (LG)
Kenny Kruszka	\$9.50	\$10.00	PT3-A (LG)
Brian Manley	\$9.50	\$11.00	PT3-E (LG)
Michael Mielcarek	\$9.50	\$10.00	PT3-A (LG)
Mason McMullen	\$10.50	\$11.00	PT3-E (LG)
Matthew Pascall-Condida	\$9.50	\$10.00	PT3-A (LG)
Rebekah Quinlivan	\$9.50	\$10.00	PT3-A (LG)
Maxim Reilly	\$10.50	\$11.00	PT3-E (LG)
Autumn Roza	\$9.00	\$10.00	PT3-A (LG)
Jacob Simonsen	\$9.50	\$10.00	PT3-A (LG)
Kristen Stanek	\$9.50	\$10.00	PT3-A (LG)
Daniel Vail	\$10.50	\$11.00	PT3-E (LG)
Michelle Vasiloff	\$9.50	\$10.00	PT3-A (LG)
Alicia Ralph	\$9.50	\$10.50	PT3-C (Att)

The resolution was unanimously adopted.

New Business #10 Approve hiring for Part-time Highway Clerk

12) 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 appointment of Jason Carey to a Part-time position as Highway Clerk at \$10.00 an hour.

The resolution was unanimously adopted.

New Business #11 Approve hiring for Parks & Grounds Seasonal

13) 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 approve the following appointments to Parks and Grounds, seasonal:

- Jonathan Knaisch at \$9.00 an hour
- Bryan McCarthy at \$10.00 an hour
- Adam Beyer at \$9.00 an hour

The resolution was unanimously adopted.

New Business #12 Approving hiring for Compost Site Seasonal

14) 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 appointment Jacob Bieler to a Seasonal position at the Compost Site at \$9.00 an hour.

The resolution was unanimously adopted.

BUSINESS FROM THE FLOOR

No one came forward to speak.

ELECTED OFFICIALS & DEPARTMENT HEADS

Supervisor Keem read a note from the wife of former Village Mayor John Wilson, Nancy Wilson, thanking the Town for dedicating the Heritage Oak Tree on Arbor Day in honor of John.

Chief Mark Pacholec stated that there will be a "Benefit for Missing Children Bike Ride" on May 20th, and they will be passing through the Town several times and this could cause some traffic delays.

Highway Superintendent Piasecki stated that Highway was running the road sweepers, doing some drainage projects, cleaning up the parks and planting flowers. He said that at Free Mulch Day last week, they had about 350 residents pick up around 900 cubic yards of mulch, and they made \$3653.00 at the event.

15) 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 # 10 following auditing by members of the Town Board and in the funds indicated:

General Fund	\$283,875.20
Public Safety Fund	\$24,021.64
Part Town Fund	\$589.98
Risk Retention	-0-
Cemetery Fund	-0-
Highway Fund	\$18,165.34
Special Districts	\$28,266.42
Trust & Agency	\$1,260.17
Capital Fund	\$198,762.18

The resolution was unanimously adopted.

COMMUNICATIONS

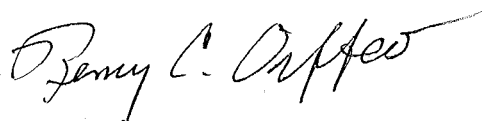
16) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN SHERRY, WHO MOVED ITS ADOPTION, SECONDED BY SUPERVISOR KEEM, TO WIT:

RESOLVED, that the Town Board does hereby receive and file West Seneca Central School District proposed budget.

The resolution was unanimously adopted.

There being no further business, on a motion by Supervisor Keem, seconded by Councilman Majchrzak, the meeting adjourned at 7:17 pm (local time).

Respectfully Submitted,



Remy Orffeo
Town Clerk