

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 20<sup>th</sup> day of May 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 May 6, 2015, Executive Sessions: May 6, and 13, 2015 and Special Sessions May 13, 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.**

**PUBLIC INFORMATION MEETING AND PUBLIC HEARINGS**

**Stormwater Phase II Annual Report Coverage – SPDES – Informational Meeting**

At this time, Supervisor Keem opened the “Informational Meeting” and asked Town Engineer, Wayne Bieler, to give an overview.

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 New York State 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 1<sup>st</sup>. Included with the report is the Municipal Compliance Certification Form that must be signed by the Supervisor. The Report is online at the Town’s website, and on file in the Library and the Town Clerk’s office.

No one came forward to speak.

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

**RESOLVED**, that the Informational Meeting for “Stormwater Phase II Annual Report Coverage –SPEDES” is hereby closed at 7:11PM.

**The resolution was unanimously adopted.**

**Public Hearing-5285 Chestnut Ridge Rd., request to Rezone from R-3 to R-3 “SR”**

At 7:12 PM (local time) the Supervisor called for the Public Hearing to hear all interested parties for or against the request to rezone property at 5285 Chestnut Ridge Road, Zoned R-3 to R-3 “SR” Senior Residential Designation as requested by James Jerge.

Affidavits and Publication of the Legal Notice of the Public Hearing were presented, read aloud and filed with the Town Board by the Town Clerk.

Chris Wood, an engineer for James Jerge for this project, outlined what they planned to do with the vacant buildings. They are proposing to turn the building into 18 apartments, and construct 11 patio homes. They were seeking the “Senior Residential” status so they can rent to just seniors 60 years of age or older.

James Jerge, owner of the property, stated that he wants to make this project something that he, and other people, will be proud of.

Town Residents and owners of the Orchard Commons spoke on the following concerns:

- Water Pressure
- Adequate Parking for all the units
- Garbage, where will it be placed
- Lighting
- Pets
- Are they trying to put too many units on this parcel
- Snow plowing
- Traffic- it is hard to get in and out of this area now
- Emergency Services
- Environmental Impact
- Cleanup after project is completed
- Want entrance and exits clearly identified, and have no parking signs so traffic safety will not be compromised
- How the residents of these buildings will be monitored for “Senior” Status
- Concern for how they will know what is happening with this project

Town Clerk, Remy Orffeo, said when there is heightened interest in a project, the Planning Board Chairman may allow for a public hearing, or the Town Board can recommend it. He stated that going to the Zoning Board of Appeals for variances also would call for a public hearing.

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

**RESOLVED**, that the Public Hearing for rezoning 5285 Chestnut Ridge Road is hereby closed at 7:53PM.

**The resolution was unanimously adopted.**

**Public Hearing - 4460 Abbott Road, request for a “Special Exception Use” Permit**

At 7:55 PM (local time) the Supervisor called for the Public Hearing to hear all interested parties for or against the request for a “Special Exception Use Permit” for 4460 Abbott Road to construct a 10 unit apartment building as requested by Quaker Estates 1 LP, Roy Emmerling, Managing Partner.

Affidavits and Publication of the Legal Notice of the Public Hearing were presented, read aloud and filed with the Town Board by the Town Clerk.

Bill Davis came forward to speak in favor of this project.

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

**RESOLVED**, that the Public Hearing for rezoning property at 4460 Abbott Road is hereby closed at 7:58PM

**The resolution was unanimously adopted.**

**Old Business #1 PIP 2012-01 Holly Ridge Estates release of escrow**

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

**WHEREAS**, on September 19, 2012, the Town Board accepted dedication of the public improvements constructed in the above referenced subdivision with the stipulation that funds paid by the Developer be held in escrow (\$3,000) until re-seeding and mulching in ROW area was completed, and

**WHEREAS**, the Contractor has since completed the required re-seeding and mulching in ROW area on Evergreen Trail. 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 DJC Land, Inc., 2635 Millersport Highway, Getzville, New York 14068 the \$3,000 held in escrow for re-seeding and mulching in ROW area for the Holly Ridge Estates Subdivision (PIP #2012-01), as recommended by the Town Engineer.

**The resolution was unanimously adopted.**

**Old Business #2 PIP 2013-06 Ellicott Dev. 3910 N. Buffalo Rd. release of escrow**

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

**WHEREAS**, on July 16, 2014 the Town Board accepted dedication of the public improvements constructed in the Ellicott Development, 3910 N. Buffalo Rd. with the stipulation that funds paid by the contractor be held in escrow until repairing of gouges in the roadway asphalt pavement was completed (\$1,000), and seeding and mulching of in +/- 4-acres of remaining disturbed areas outside the right-of-way (\$10,000) were completed, and

**WHEREAS**, the contractor has since completed the work, which was inspected by the Engineering Department and found to comply with Town specifications,

**NOW, THEREFORE, be it**

**RESOLVED**, that the Town Board does hereby authorize the Town Clerk to release to Tom Greenauer Development Inc., the \$11,000 held in escrow to repair gouges in the roadway asphalt pavement, and seeding and mulching of +/- 4-acres of remaining disturbed areas outside the right-of-way of Holland

Lane in the Ellicott Development - 3910 North Buffalo Street Public Roadway Project (P.I.P. #2013-06), as recommended by the Town Engineer.

**The resolution was unanimously adopted.**

**Old Business #3 Cooperative Agreement with Erie Co. Water Auth. For Burmon Drive Project**

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

**WHEREAS**, the Engineering Department has sent correspondence to the Erie County Water Authority (ECWA) regarding the Burmon Drive Reconstruction Project. Our records indicate that the waterline along Burmon Drive is a direct service area with the ECWA and has been in service for over 60 years. As the Town will be replacing the sanitary sewer and completing the road reconstruction including storm drainage systems, sidewalks, and driveway aprons, this would be an opportune time to replace the aging waterline, and

**WHEREAS**, the ECWA has responded and is in full agreement that it would be beneficial to both parties to replace the waterline under the Burmon Drive Road Reconstruction Project. The Engineering Department will incorporate the design and construction of the waterline into the Town's plans for the project and that the ECWA and the Town will enter into a Cooperative Agreement for the ECWA to reimburse the Town for construction costs for the replacement of the waterline.

**NOW, THEREFORE, be it**

**RESOLVED**, that the Town Board does hereby authorize the Town Attorney to draft a Cooperative Agreement with the ECWA to coordinate and facilitate the waterline replacement on Burmon Drive where the ECWA shall reimburse the Town for the cost of the water main portion relating to the project plans and specifications, and be it further

**RESOLVED**, that the Town Board does hereby authorize the Town Supervisor to sign the Cooperative Agreement with the ECWA to coordinate and facilitate the waterline replacement on Burmon Drive where the ECWA shall reimburse the Town for the cost of the water main portion relating to the project plans and specifications, as recommended by the Town Engineer.

**The resolution was unanimously adopted.**

**New Business #1 Request to NYS to appropriately disburse Public Safety Communications funds**

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

**WHEREAS**, 911 is a critical component for the citizens of Erie County and the delivery of Police and Emergency Services and the traditional landline phones are accurate with the exact location for emergency calls, and

**WHEREAS**, more people are now calling 911 from cell phones with over 492,615 wireless calls being made in 2014 to Erie County 911 Center and in an emergency every minute and seconds count when an attempt is made to get Phase 2 location information, and

**WHEREAS**, the 911 center asks the network for the phones actual location, that is Phase 2, and even after multiple re-bids or re-transits to the cell carriers for better information it is impossible to get an exact

location when trying to locate the emergency which can be inaccurate or at times doesn't give the location at all, and

**WHEREAS**, every cell phone subscriber in New York State pays \$1.20 to Albany each month which was intended to support counties and their endeavor to update and maintain their development of next generation 911 technology, the consolidation of current 911 services, and improvements to public safety communication systems across the State, and

**WHEREAS**, Erie County estimates cell phone subscribers in Erie County paid about \$8.8 million to Albany in 2014 through this surcharge, and surcharge funds collected in 2012 in New York State were in excess of \$200 million with less than \$10 million being disbursed to County level 911 services, and

**WHEREAS**, according to the FCC, New York State was one of six states in 2013 to divert funding from a 911 surcharge account for unrelated purposes and this improper distribution is hampering public safety in Erie County and throughout Western New York.

**NOW, THEREFORE, be it**

**RESOLVED**, that the Association of Erie County Governments requests the State of New York to appropriately disburse the funds collected through the public safety communications surcharge as laid out in Bill S2963/A3561 (2015); and

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forwarded to Honorable Governor Andrew M. Cuomo, Honorable Senate Majority Leader John Flanagan, Majority Leader of Independent Democratic Caucus Jeff Klein, Honorable Senate Minority Leader Andrea Stewart-Cousins, Honorable Speaker of the Assembly Carl E. Heastie, Honorable Majority Leader of the Assembly Joseph Morelle, Honorable Minority Leader of the Assembly Brian Kolb, and the Western New York Delegation and Erie County Executive Mark Poloncarz and the Erie County Legislature.

**The resolution was unanimously adopted.**

**New Business #2 Set Public Hearing for Local Law 3-2015, Procurement Policy amendment**

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

**RESOLVED**, that the Town Board is hereby authorized to set a Public Hearing for June 17, 2015 at 7:00 PM, regarding Local Law 3-2015 for Chapter 29 of the Town Code - Procurement Policy

**The resolution was unanimously adopted.**

**New Business #3 Authorize Memorial Day Parade**

10) 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 approve the request of the Orchard Park American Legion Post 567 to hold the Annual Memorial Day Parade and Ceremonies, at 9:00 am, Monday, May 25, 2015. The route of the Parade will begin at the Orchard Park Library; go down South Buffalo Street to the four corners west on West Quaker Street and end at Veterans Park.

**The resolution was unanimously adopted.**

**New Business #4 Approve Public Improvement Permit (PIP) 2015-03 Riley Meadows, Phase 2**

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

**WHEREAS**, the Town has received from Andrew Romanowski, Alliance Homes, Inc., 4727 Camp Road, Hamburg, New York 14075, an application for a Public Improvement Permit to construct the Riley Meadows Subdivision Phase 2, and

**WHEREAS**, the project consists of the installation of 550 L.F. of new roadway and public utilities to serve 12 residential sublots as shown on the attached location map. Two stormwater treatment units and a detention basin with recreational trail system was installed during Riley Meadows Subdivision Phase 1 construction, and

**WHEREAS**, the Town Engineer has reviewed the plans and specifications for the proposed project and have found them to be in compliance with current Town Specifications and Standards. The town is in receipt of all necessary fees, bond, and insurances.

**NOW, THEREFORE, be it**

**RESOLVED**, that the Town Board does hereby approve PIP 2015-03, Riley Meadows, Phase 2, as recommended by the Town Engineer.

**The resolution was unanimously adopted.**

**New Business #5 Appoint Part-time Planning Coordinator**

12) 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 appoint John Bernard, 6760 Powers Road, Orchard Park, NY to the position of Part-time Planning Coordinator, at the salary stipulated in the budget, effective June 4, 2015.

**The resolution was unanimously adopted.**

**New Business #6 Town Board to seek Lead Agency Status for Webster Block LLC building petition**

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

**WHEREAS**, the Town Board referred the petition (Planning Board file #12-15) of Webster Block, LLC to construct a 4,902 sq. ft., single story office building with a drive thru, at 3858 – 3862 North Buffalo St. zoned B-2 to the Planning Board, and

**WHEREAS**, the Planning Board upon review, has requested the Town Board seek Lead Agency status under SEQR,

**WHEREAS**, under Town Code this SEQR action is a Type I action;

**NOW, THEREFORE, be it**

**RESOLVED**, that The Orchard Park Town Board does hereby seek Lead Agency with a Coordinated Review for Planning Board file #12-15.

**The resolution was unanimously adopted.**

**New Business #7 Declare Town Board as Lead Agency for petition of Buffalo Federal Credit Union**

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

**WHEREAS**, the Town Board sought Lead Agency status on the petition of Buffalo Federal Credit Union (Planning Board file #36-14) to construct a 14,133 sq. ft., 2 story office building with a drive thru on vacant land, Northwest Corner of Orchard Park Road and Eaglebrook Drive, Zoned B-2; and

**WHEREAS**, the Planning Board upon review, has requested the Town Board seek Lead Agency status; and

**WHEREAS**, under Town Code this SEQR action is a Type I action; and

**WHEREAS**, no involved agency objected to the Town Board declaring themselves Lead Agency;

**NOW, THEREFORE, be it**

**RESOLVED**, that The Orchard Park Town Board declares themselves Lead Agency for the Buffalo Federal Credit Union, Planning Board file #36-14.

**The resolution was unanimously adopted.**

**New Business #8 Town Board to rescind Conservation Easement**

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

**WHEREAS**, the Orchard Park Conservation Board recommended on June 1, 2004 approval of a 15-year Conservation Easement (CE #41) for 8.56 acres located at 6550 Chestnut Ridge Road, and

**WHEREAS**, the Orchard Park Town Board on June 16, 2004 approved Conservation Easement #41, and Whereas, Town Code Article X, Conservation Easement Agreement Exemption 124-33 allows cancelation of a Conservation Easement upon petition by the property owner, and

**WHEREAS**, Mr. Robert G. Sponholz, owner of property located at 6550 Chestnut Ridge Road, has petitioned for removal of a 15-year Conservation Easement (CE #41) on said property, and

**WHEREAS**, penalties as determined by the Orchard Park Assessor's office in the amount of \$4,437.29 shall be paid to the Town of Orchard Park prior to a filing in the County Clerk's office removing CE #41, and

**NOW, THEREFORE, be it**

**RESOLVED**, that the Town Board does hereby rescind Conservation Easement #41 for 8.56 acres located at 6550 Chestnut Ridge Road, and after the penalty has been paid the town attorney is directed to record appropriate cancellation papers with the Erie County Clerk, as recommended by the Town Attorney.

**The resolution was unanimously adopted.**

**New Business #9 Authorize Highway Superintendent to attend Highway School**

16) 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 approve the request of the Highway Superintendent to attend Highway School, June 1-3 2015, with a cost not to exceed \$575.00, and the money is in the budget.

**The resolution was unanimously adopted**

**New Business #10 Seasonal Appointments to Parks and Grounds**

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

**RESOLVED**, that the Town Board does hereby appoint the following to Parks and Grounds at Milestrip Rd., seasonal, retroactive to April 14, 2015: Lynn Reynolds, rate PT11, \$20.00 an hour.; Julie Fregelette, rate PT3, \$10.00 an hour.; and Gerald V Meissner, Rate PT3, \$10.00 an hour, as recommended by the Highway Superintendent.

**The resolution was unanimously adopted.**

**New Business #11 Seasonal appointment to Compost Site**

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

**RESOLVED**, that the Town Board does hereby appoint Rodger Meissner to a seasonal position at the Town Compost site effective April 14, 2015 at a rate of PT8, \$18.00 an hour, as recommended by the Highway Superintendent.

**The resolution was unanimously adopted.**

**New Business #12 Seasonal appointment to Parks & Grounds**

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 appoint Alex Buyea to a seasonal position in the Parks & Grounds effective May 13, 2015 at the rate of PT2, \$9.00 an hour, as recommended by the Highway Superintendent.

**The resolution was unanimously adopted.**

**New Business #13 Seasonal appointments to Parks & Grounds**

20) 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 appoint the following to seasonal positions in the Parks & Grounds with a start date of May 18, 2015: Brian Castouguay, PTI at \$8.75 an hour; Daniel Cheney, PT2 at \$9.00 an hour, as recommended by the Highway Superintendent.

**The resolution was unanimously adopted.**



**New Business #14 Seasonal appointments to the Recreation Department**

21) 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 appoint the following to seasonal positions in the Recreation Department.

**2015 Summer Seasonal part time Staff Appointments effective 6/1/15**

<u>Name</u>	<u>Rate</u>	<u>Position(Title*)</u>
Chelsea Andorka	\$11.00	PT3-E (Att)
Jonathan Duffy	\$ 9.50	PT2-D (LG)
Sean Duffy	\$ 9.00	PT2-D (LG)
Alec Hoch	\$ 9.00	PT2-B (LG)
Alexandra Lane	\$ 9.00	PT2-B (Att)
Eileen LaPenta	\$12.00	PT4-D (Att)
Amphavanh Philarom	\$11.00	PT3-E (Att)
Alicia Ralph	\$11.00	PT3-E (Att)
Brittany Randles	\$ 9.00	PT2-B (Att)
Amanda Regan	\$12.00	PT4-D (Att)
Jennifer Sienkiewicz	\$12.00	PT4-D (Att)
Daniel Vail	\$ 9.00	PT2-B (LG)

**Rate Change 2015 Summer Seasonal Part Time Staff Appointments**

<u>Name</u>	<u>New Rate</u>	<u>Old Rate</u>	<u>Position(Title*)</u>
Liam Allman	\$12.00 PT4-D	\$9.50	PT2-D (Att)
Elizabeth Egloff	\$9.50 PT2-D	\$11.00	PT3-E (Att)

The above appointments are dependent upon the applicant providing the required certifications.

**The resolution was unanimously adopted.**

**New Business #15 Public Safety Dispatcher appointment**

22) 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 Chelsea E. Vasquez to a full time, non-competitive, public safety dispatcher at the pay rate of PT 0003, \$13.35 per hour, effective April 25, 2015, as recommended by the Chief of Police.

**The resolution was unanimously adopted.**

**New Business #16 Approve Block Party Request**

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 approve the request of Dr. Patrick Keem to hold a block party on Highbrook Court and have barricades put up on June 27, 2015 from 3:00 PM to 10:00 PM, with a rain date of June 28, 2015, and be if further

**RESOLVED**, that the Town Board does hereby approve an exemption from the Town's Open Container Law for said party.

**The resolution was unanimously adopted.**

**New Business #17 Refer to Conservation, Planning Board and/or Architectural Overlay District**

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

**RESOLVED**, that the Town Board refer the following to the appropriate Board for Review; Conservation, Planning Board and/or Architectural Overlay District:

- 3836 North Buffalo Road, located on the west side of North Buffalo Road, south of Webster Road, Zoned B3. Mr. Joseph DeVincentis is requesting to construct a three-bay garage (SBL#162.09-1-17).

**The resolution was unanimously adopted.**

**BUSINESS FROM THE FLOOR**

Kathryn Gorkiewicz – Ms. Gorkiewicz outlined some thoughts on the community center. She was glad that the recent meetings regarding the center were open to the public, she would like the word 'proposed' used when discussing the community center. She feels that it would be a good idea to allow for the possible generation of revenue from other interested parties to offset the cost. She also feels that the proposed community center should not take anything away from local businesses. Ms. Gorkiewicz thinks that the Town Board should focus on the basic needs for this community center.

John Marlow – Mr. Marlow talked about the geese situation at Green Lake.

Dan D'Arcy – Mr. D'Arcy lives at the Orchard Commons and said the site of the proposed apartments & patio homes is a mess, if the owner really wanted to make the residents in that area comfortable with his plans, he would have cleaned up the area.

James Jerge, owner of the projected apartments & patio homes stated that he only just purchased the property, but he will make sure it is cleaned up. He offered to stay after the meeting and talk to the concerned residents.

Dave Schuster – Mr. Schuster would like to see better response from the Board members when a question is asked of them.

**ELECTED OFFICIALS & DEPARTMENT HEADS**

Supervisor Keem – read a letter complementing the Building Inspector's office for their help during his construction project. He then talked about what the Humane Society recommends to get rid of the geese, but it is too late for this year. Supervisor Keem said they had the bid opening for the Brush Contract on 4/29, and all the bids were extremely high. The Town Board narrowed the scoop of the contract and had the companies rebid the contract. The bids went from \$750,000 to \$130,000. The Town only had \$90,000 budgeted for brush pickup, so they went with the low bid. The contractor has promised to cover the whole town every two weeks.

Town Clerk Remy Orffeo said the Block Party application is on line now, and the Supervisor was the first to use it.

Building Inspector Andy Giest discussed the R-3 zoning designation for the residents and special exceptions for said zoning. He also said that during a Public Hearing, the Board does not answer questions, it is for residents input. Anybody that wants to, can call him at his office.

Highway Superintendent Piasecki said the new Brush Contractor is going to start this Friday, and the Town Highway department is still picking up the brush. FEMA reimbursed 75% of the cost of the November storm, and the state agreed to pay the remaining 25%. Free mulch day was a success, they moved over 1200 cubic yards. Erie County Household Hazardous Waste Drop-off Day is June 13, at ECC south.

Town Engineer Wayne Bieler stated that the state has OK'd the traffic signal for the Krog Property, Big Tree Road at Taylor Road intersection. He said the chillers for the Municipal Center are now in and will be up and running soon.

**25) 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 #10 following auditing by members of the Town Board and in the funds indicated:

General Fund	\$304,804.07
Public Safety Fund	\$20,498.82
Part Town Fund	\$2,914.25
Risk Retention	\$176.00
Cemetery Fund	
Highway Fund	\$44,713.13
Special Districts	\$140,096.51
Trust & Agency	\$3,198.25
Capital Fund	\$175,808.86

**The resolution was unanimously adopted.**

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

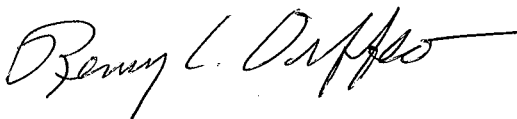
**RESOLVED**, that the Town Board does hereby receive and file the following;

- Town Clerk's Report for 33<sup>rd</sup> Annual Town Clerk's Conference
- Erie County Legislature, Patrick Burke, Report for Municipal Broadband System

**The resolution was unanimously adopted.**

There being no further business, on a motion by Supervisor Keem, seconded by Councilmember Majchrzak, the meeting adjourned at 8:45 pm (local time).

**Respectfully Submitted,**



**Remy Orffeo**  
Appointed Town Clerk