

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 3rd day of July, 2013 at 7:00 PM, the meeting was called to order by Supervisor Colarusso and there were:

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|------------------------------|-------------------------|------------------------|
| PRESENT AT ROLL CALL: | Janis Colarusso | Supervisor |
| | David Kaczor | Councilmember |
| | Eugene Majchrzak | Councilmember |
| | Carol Hutton | Town Clerk |
| | John C. Bailey | Town Attorney |
| | Frederick Piasecki, Jr. | Highway Superintendent |
| | Wayne Bieler | Town Engineer |
| | Mark Pacholec | Chief of Police |
| Absent: | Andrew Geist | Building Inspector |

Supervisor Colarusso 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 COLARUSSO, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER MAJCHRZAK, TO WIT:

RESOLVED, that the Regular Town Board Meeting minutes held on June 19, 2013 and the Executive Session Meetings held on June 5 & June 19, 2013 are hereby approved, 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.

New Business #1 Village request to display banner for “Ice Cream Social & Street Dance”

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

WHEREAS, the Village of Orchard Park is once again sponsoring *Summer in the Park* with the Ice Cream Social to be held on Friday, July 26, 2013 and the Street Dance will be on Saturday, July 27, 2013, and

WHEREAS, in order to promote the events, the banner will be used on the Village float for the 4th of July parade. The Village would like permission from the Town to display this banner on the front lawn of the Municipal Building beginning Monday, July 8th. The size of the banner is a 2’ tall by 5½’ wide.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the Village of Orchard Park to place the *Summer in the Park* banner to promote the Ice Cream Social and the Street Dance.

The resolution was unanimously adopted.

New Business #2 Town Board to ratify Blue Collar Agreement

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

RESOLVED, that the Town Board is hereby authorized to ratify a 5 Year Agreement with the Blue Collar Union effective 1/10/10 – 12/31/14.

Supervisor Colarusso read a statement regarding the negotiations of the new agreement and thanked the Highway Department and Sewer & Lighting Department.

Councilmember Majchrzak stated that he had the honor of being involved with the negotiations as the Town representative and is pleased with the outcome of the agreement.

Councilmember Kaczor stated that this is an important milestone for the Town and the residents. He thanked all involved with the negotiations.

The resolution was unanimously adopted.

New Business #3 Authorize Appointment of Part-time Cleaner in the Maintenance Department

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

RESOLVED, that the Town Board does hereby authorize the appointment of Jennifer Mariano, 56 Burmon Drive, Orchard Park, NY 14127, to fill a vacancy for a part-time cleaner in the Maintenance Department, PT3-Step 1, at \$10.00 per hour, with a six month probation period, start date July 8, 2013.

The resolution was unanimously adopted.

New Business #4 Seasonal Staff Appointments to Highway Department for Parks & Grounds

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

RESOLVED, that the Town Board does hereby appoint summer seasonal staff to the Highway Department for Parks & Grounds:

- Frank Sillence Rate PT-1C \$8.00 Started 6/24/13
- Len Giovenettio Rate PT-1C \$8.00 Started 6/27/13

The resolution was unanimously adopted.

New Business #5 Public Safety Committee Recommendation

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

RESOLVED, that the Town Board is hereby authorized to send a letter, as recommended by the Public Safety Committee, to request the placement of a “4-Way Stop” at the intersection of Scherff Road and Gartman Road, as follows:

- 2 “Stop” signs at Scherff Road – one northbound and one southbound
- 2 “Stop” signs at Gartman Road – one eastbound and one westbound

The resolution was unanimously adopted.

New Business #6 Town Board to designate Town Clerk to receive Notice of Claims

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

RESOLVED, that the Town Board does hereby designate Town Clerk, Carol Hutton, to receive notice of claims served upon the Secretary of State and authorize her to file the required certificate with the Secretary of State informing the State of the Town's designation before July 14, 2013.

Town Attorney, John Bailey, explained the circumstances regarding this legislation.

The resolution was unanimously adopted.

BUSINESS FROM THE FLOOR

No one spoke.

ELECTED OFFICIALS & DEPARTMENT HEADS

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

RESOLVED, that the Town Board does hereby authorize the following budget transfers, as recommended by the Town Clerk and the Chief of Police:

Town Clerk's Office

| | | |
|----------|-------------------|---|
| \$500.00 | From: A.1410.0446 | Contracted Equipment Repair Office Equipment |
| | To: A.1410.0200 | |

Police Department

| | | |
|------------|----------------------|------------------------------------|
| \$1,600.00 | From: PS3120.000.100 | Police Personnel Other Expenses |
| | To: PS3120.000.418 | |

| | |
|-------------------------|---------|
| Supervisor Colarusso | Aye |
| Councilmember Kaczor | Abstain |
| Councilmember Majchrzak | Aye |

The resolution was duly adopted.

Councilmember Kaczor – He reported on the upcoming events through the summer.

Councilmember Majchrzak – He commented on the Green Lake/Yates Park dam change in classification. The Town has to update the dam and the estimated cost is 1.8 million dollars. Councilmember Majchrzak, Town Engineer, Wayne Bieler, Senator Grisanti and Assemblyman Mickey Kearns met to try to obtain financial State aid for the project. There will be an announcement when the Town learns what amount will be granted from the State.

Police Chief Pacholec – He announced that Erie County will be replacing the bridge on South Abbott Road and the road will be closed until the end of August. He stated that if for some reason the 4th of July parade and fireworks are cancelled, the fireworks would be on Friday the 5th. The parade would not be rescheduled.

Highway Superintendent Piasecki – He reported on the paving schedule for Town roads.

Town Engineer Bieler – He reported that an Eagle Scout would be putting up a volleyball court for his project at Green Lake/Yates Park.

9) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR COLARUSSO, 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 #13 following auditing by members of the Town Board and in the funds indicated:

| | |
|---------------------------|--------------|
| General Fund | \$57,297.83 |
| Public Safety Fund | \$13,975.55 |
| Part Town Fund | \$1,301.34 |
| Risk Retention | \$55,000.00 |
| Cemetery Fund | 0.00 |
| Highway Fund | \$34,040.17 |
| Special Districts | \$135,986.60 |
| Trust & Agency | \$661.22 |
| Capital Fund | \$58,347.67 |

The resolution was unanimously adopted.

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

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

Communications:

- Notice of Public Hearing will be conducted pursuant to NYS Public Health Law §3008 on July 16, 2013 at 7:00 pm at the Hamburg Volunteer Fire Department, Inc., 301 Union Street, Hamburg NY 14075, concerning the application of the Hamburg Volunteer Fire Department, Inc., for the expansion of its primary ambulance operating territory to include the portions of the Town of Hamburg which border the Village of Hamburg.
- County of Erie announces the portion of South Abbott Road (Bridge 28-3), just north of Newton Road in the Town of Orchard Park will be closed beginning Monday, July 8, 2013, through approximately Saturday, August 31, 2013 (or until complete), for the bridge replacement.

The resolution was unanimously adopted.

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

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

Reports

- Chief of Police's Monthly Report for May 2013
- Building Inspector's Monthly Report for June 2013

The resolution was unanimously adopted.

There being no further business, on a motion by Councilmember Kaczor, seconded by Supervisor Colarusso to wit: the meeting adjourned at 7:30 pm (local time).

Respectfully Submitted,



Carol R. Hutton
Town Clerk