

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 5th day of October 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 September 21, 2016, Executive Session: September 21, 2016 Special Session: September 28, 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 HEARING

2017-2018 Federal Community Development Block Grant Funds

At 7:00 PM (local time) Supervisor Keem called for the Public Hearing to hear all interested parties for or against the Community Development Block Grant Funds.

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

Town Engineer, Wayne Bieler, stated the Town of Orchard Park may be eligible to receive Community Development Block Grant (CDBG) Funds from the U.S. Department of Housing and Urban Development (HUD) for the 2017-2018 Program Year.

Supervisor, Patrick Keem stated as discussed at the 2017 - 2018 Public Hearing on the use of Community Development Block Grant Funds, the Supervisor must be given authorization to sign, submit and execute the contracts with the Erie County Community Development Block Grant (ECCDBG) program. The proposed Community Development projects must be ranked in order of priority by the Town. In addition, Rural Transit Service has asked for a letter of support from the Town.

Supervisor Keem asked if anyone is interested in speaking or making a comment. No one came forward.

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

RESOLVED, that the Public Hearing for the 2017 - 2018 Federal Community Block Grant Funds is hereby closed at 7:09 PM.

The resolution was unanimously adopted.

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

WHEREAS, the Town of Orchard Park may be eligible to receive Community Development Block Grant (CDBG) Funds from the U.S. Department of Housing and Urban Development (HUD) for the 2017 - 2018 Program Year, and

WHEREAS, the Town of Orchard Park held a public hearing this evening to provide an opportunity for citizens to express community development and housing needs and to discuss possible projects which would benefit low and moderate income areas in the Town of Orchard Park.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the Supervisor to sign, submit and execute applications/contracts for the ECCDBG program with the following priority:

Priority #1 = Burmon Drive Road Reconstruction

Priority #2 = Burmon Drive Sidewalk Replacement

Priority #3 = Rural Transit Service

And, be it further

RESOLVED, that the Town Board does hereby authorize the Supervisor to issue a letter of support for the Rural Transit Service — Van Program.

The resolution was unanimously adopted.

Old Business # 1 Award Contract for Hazel Court Sanitary Sewer Extension Project

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

WHEREAS, bids were opened for the Hazel Court Sanitary Sewer Extension Project on September 29, 2016. The Town received four (4) bids with very competitive numbers. This project consists of the installation of 700 linear feet of 8- inch PVS Sanitary Sewer main and appurtenances. The bidder's base bid of \$58,762.00 is below the construction estimate of \$105,000 for the project, and

WHEREAS, the low bidder for this project was Fairway Contracting. The company has successfully completed various projects in the past for the Town of Orchard Park, and

WHEREAS, there is presently \$105,000 plus interest allocated under Capital Project #Z76 "Hazel Court Sanitary Sewer Project".

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby award the contract for the Hazel Court Sanitary Sewer Extension Project to the lowest responsible bidder, Fairway Contracting, P.O. Box 352, Orchard Park, NY 14127 in the amount not to exceed \$58,726.00, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #1 Advertise for Draudt Road Culvert #3 Rehabilitation Project

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

WHEREAS, the Orchard Park Engineering Department is finalizing design plans, specifications, and necessary approvals for the Rehabilitation of Culvert #3 under Draudt Road servicing Neuman Creek. This work is necessary to remedy a Red Structural Flag issued to the Town by the New York State DOT due to the deterioration of Culvert #3, and

WHEREAS, the Draudt Rd. Culvert #3 Rehabilitation Project includes the removal of approximately 400 cubic yards of siltation deposits from Neuman Creek, construction of a temporary water diversion structure, and concrete lining the invert of culvert #3 to prevent further deterioration, and

WHEREAS, the Highway Department does not have the capability of removing the amount of siltation, or pouring the amount of concrete required for this project. In addition, the cost is estimated at \$80,000 and therefore the work must be completed through the formal bidding process, and

WHEREAS, plans and specifications will be available for purchase on October 14, 2016 with the bid opening to be held on October 28, 2016. The construction work could start, weather permitting, in early November with completion of final restoration in May 2017 as spring weather permits.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize advertisement in the Orchard Park Bee for sealed bids to be opened for the Draudt Rd. Culvert #3 Rehabilitation Project on October 28, 2016 at 2:00 P.M. in the Supervisor's Conference Room at the Orchard Park Municipal Center, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #2 Release Escrow for Riley Meadows Phase 2, PIP 2015-03

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

WHEREAS, on March 2, 2016, the Town Board accepted dedication of the public improvements constructed with the stipulation that escrow be held until the following were completed:

- Placement and fine grading of topsoil, and hydro-seeding along public sanitary easement and ROW of Golden Oak Lane, \$5,000.
- Fine grading of topsoil and hydro-seeding along public sanitary easement and ROW of Murphy Road and at #5236, #5312, #5329, and #5330 Murphy Road residences, and fine grade and address settlement and seed as needed at field inlets along swale in Sub lots # 33, 34, and 35 \$10,000.

WHEREAS, the Contractor has since completed the above referenced work. 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 PIP #2015-03 to Oak Orchard Development LLC, the \$5,000 in escrow for seeding & grading along public sanitary easement and ROW of Golden Oak Lane, and \$10,000 in escrow for seeding & grading along public sanitary easement and ROW of Murphy Road for the Riley Meadows Subdivision Phase 2, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #3 Approve Commercial Parking Permit

7) 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 commercial parking permit for the July 2016 – June 2017 season for Burt Dunn, 3819 Southwestern Blvd LLC at 3819 Abbott Road, Orchard Park, NY.

The resolution was unanimously adopted.

New Business #4 Award Contract for Carpet Replacement Project

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

WHEREAS, bids were solicited for Senior Center 2nd Floor Carpet Replacement. The project scope of work is to replace the worn carpet on the 2nd floor with Mohawk carpet tiles. Three contractors were contacted for bids, and

WHEREAS, the lowest bidder for this project is Carpet Castle at a cost of \$8,306.00, and the funds will be from A.1620.0446 and H49.7610.0402 Senior Center Repairs Fund.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby award the contract for the Senior Center 2nd Floor Carpet Replacement Project to Carpet Castle 2926, Transit Road, West Seneca, NY in the amount of \$8,306.00, as recommended by the Maintenance Department.

The resolution was unanimously adopted.

New Business #5 Authorize New Police Vehicle Purchase

9) 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 Chief of Police to purchase a 2016 Ford Explorer in the amount of \$29,142 from Delacy Ford to replace Car 4, a 2014 Ford Explorer which was totaled in a collision.

The resolution was unanimously adopted.

BUSINESS FROM THE FLOOR

No one spoke.

ELECTED OFFICIALS & DEPARTMENT HEADS

Supervisor Keem wanted to thank the Town residents for their patience with the 2 large projects this year; Green Lake and the Municipal parking lot expansion and replacement.

Highway Superintendent Piasecki outlined the Highway Departments work for the last two weeks.

10) 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 # 19 following auditing by members of the Town Board and in the funds indicated:

General Fund	\$81,814.17
Public Safety Fund	\$12,964.48
Part Town Fund	\$968.55
Risk Retention	\$0
Cemetery Fund	\$0
Highway Fund	\$5,241.54
Special Districts	\$167,765.46
Trust & Agency	\$3,93.52
Capital Fund	\$407,627.49

The resolution was unanimously adopted.

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

RESOLVED, that the Town Board received and file the following Communications:
Notice of Sale for Erie County Director of Real Property Tax Services Public Auction.

The resolution was unanimously adopted.

There being no further business, on a motion by Councilman Sherry, seconded by Councilman Majchrzak, the meeting adjourned at 7:19 pm (local time).

Respectfully Submitted,



**Remy Orffeo
Town Clerk**

