

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 15<sup>th</sup> day of November 2017 at 7:00 PM, the meeting was called to order by Supervisor Keem and there were:

<b>PRESENT AT ROLL CALL:</b>	Patrick J. Keem	Supervisor
	Eugene Majchrzak	Councilman
	Michael Sherry	Councilman
	Remy Orffeo	Town Clerk
	Wayne Bieler	Town Engineer
	Andrew Geist	Building Inspector
	Frederick Piasecki, Jr.	Highway Superintendent
	Mark Pacholec	Chief of Police
<b>ABSENT:</b>	John C. Bailey	Town Attorney

**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 November 1, 2017, Executive Sessions: November 1 & 8, 2017, 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.**

**SPECIAL PRESENTATION  
SWEARING IN OF THE FOLLOWING NEW YOUTH COURT MEMBERS**

Marin Bogulski	Lauren Hrusa	Kaylee Rains
Beatrice Choroser	Josef Iqbal	Catherine Reed
Autumn Cwick	Hannah Iqbal	Connell Reed
Alexander Cymerman	Sean Jones	Joe Ricotta
Ashley DeNysschen	Katie Jones	Paige Salmon
Graham Diegelman	Henry Kamis	Pierson Savarino
Jack Dolce	Tess Kjellstrom	Ava Savarino
Anthony DuMond	Michael Mainella	Lucas Schaffer
Daniel El Solh	Devon Manne	Andrew Sovinski
Jessica Ferguson	Brian Murphy	Peter Sovinski
Steven Fertel	Abigail Nelson	Owen Vincek
Kaitlin Fotevski	Joseph Nicometo	Meghan Vincek
Alexa Gioia	Matthew Norvilitis	Emma Walker
Bridgit Gomez	Rachel Norvilitis	Nolan Watson
Ellie Graber	Madison Perry	Declan Watson
Julie Heard	Zach Plecas	Ryan Werdein
CJ Henrich	Rose Quinlan	
Michael Hill		

**BUDGET PRESENTATION**

Councilman Sherry, in this Budget Presentation, outlined the main reasons for the \$1million increase from last year’s budget. The reasons are the addition of a police officer, contractual employee benefits, new debt for infrastructure projects in the town and mandatory minimum wage hike. The whole budget, along with additional information, such as charts, comparing tax rates, as well as costs associated with our most expensive services- police and highway, compared to neighboring peer communities- can be found on the Town’s website.

**PUBLIC HEARING**

Local Law 2017-18 – Amending §144-31(A)(46)A Unmanned Air Craft Take-offs & Landing

At 7:40 PM (local time) Supervisor Keem called for the Public Hearing to hear all interested parties regarding proposed Local Law 18 Amending §144-31(A)(46)A Unmanned Air Craft Take-offs & Landing –established in General Municipal Law §3-c.

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.

The following came forward to speak

Frank Zbytek – Mr. Zbytek is a model airplane enthusiast who is concerned that the new local law will impact his hobby. He belongs to the American Model Association, and stated there is a long list of rules that need to be followed by people who fly model aircrafts. There is also a Section, #336, that is a special rule for model aircraft that protects them from new and overbearing regulations. Mr. Zbytek said most model aircraft hobbyist are upstanding people.

Donald Robinson is a fellow drone enthusiast and stated there are newer models of drones coming out that have geofencing which limits the areas drones can take off and land. FAA may soon force drone owners & manufacturers to update their equipment with geofencing. He would like the Town to take a step back from this legislation, so the owners and companies can do their updates.

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

**RESOLVED**, that the Town Board hereby closed the Public Hearing for Local Law 2017-18 at 7:53PM

**The resolution was unanimously adopted.**

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

**WHEREAS**, following due and timely notice a public hearing relating to the matter of Local Law 18 of 2017 was conducted, at which time all interested parties were given an opportunity to speak.

**NOW, THEREFORE, be it**

**RESOLVED**, that the Town Board is hereby authorized to adopt Local Law #18 of 2017 which provides as follows:

Amending the above captioned §144-31(A)(46)A to add:

**SECTION 1:** §144-31(A)(46) A. Unmanned Air Craft Take-Offs and Landing

- i. It shall be unlawful for any person to take off or land in any zone within the Town of Orchard Park an Unmanned Air Craft or Unmanned Air Craft System within one (1) mile of and within two (2) hours before or after an open air event sponsored by the Town of Orchard Park and located within the Town of Orchard Park such events including, but not limited to: parades, concerts, street dances, festivals, art shows, sporting events and recreational events.

It shall be unlawful for any person to take off or land an Unmanned Air Craft or Unmanned Air Craft System within two (2) miles of the New Era Field Complex on the day of any event held at the New Era Field Complex and four (4) hours prior to or four (4) hours after any event held at the New Era Field Complex.

- iii. Definitions:

(c-1) Unmanned Aircraft means:

(1) a device that is intended to navigate in the air without an onboard pilot and

(2) an aircraft that is operated without the possibility of human intervention from within or on the aircraft. Unmanned Aircraft are also referred to as "drones."

(c-2) Unmanned Aircraft System means an Unmanned Aircraft and associated elements (including communications links and the components that control the unmanned aircraft) that are required for the pilot-in-command to operate safely and efficiently in the national airspace system.

(c-3) New Era Field Complex means all of the approximately 197.65 acre parcel of land situated in the Town of Orchard Park, New York locally known as One Bills Drive inclusive of New Era Field, the ADPRO SPORTS Training Center, the Fieldhouse, parking lots, entrances, walkways and practice fields.

- iv. Exceptions - Express written permission required:

The takeoff or landing of an Unmanned Aircraft or Unmanned Aircraft System as proscribed herein may be permitted pursuant to written permission issued by the Town of Orchard Park. This permission, when issued, will be subject to all applicable Federal Aviation Administration (FAA) regulations.

**SECTION 2:** This local law shall take effect upon filing in the Office of the Secretary of State or from the date of its service as against a person served personally with a copy thereof.

Councilman Sherry stated that this code does not affect anything the two gentleman talked about, in fact all this code does, is for a few hours a year, in a very narrow confined area, restrict taking off and landing of drones, it is not an issue of rebels, spying, or coming out against responsible operators, this is strictly a safety issue intended to protect large crowds. The code was crafted in consultation with several attorneys from the FAA.

**The resolution was unanimously adopted.**

**Old Business # 1 Town Board to Adopt 2018 Ad Valorem & Benefit Basis Budgets**

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

**WHEREAS**, officers and employees in charge of various administrative units of the government of the Town of Orchard Park have submitted estimates of revenues and expenditures for the fiscal year ending December 31, 2018, and

**WHEREAS**, the Supervisor, as the Town's Budget Officer, has caused a tentative ad valorem budget to be prepared, and the Town Clerk has presented such budget to this Town Board, and

**WHEREAS**, the Town Board has met and considered the preliminary budget for the year ending December 31, 2018, and a public meeting was conducted on November 1, 2017 as required by Section 108 of Town Law,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the preliminary budget as changed, altered and revised and as hereinafter set forth, is hereby adopted as the annual Ad Valorem (General, Public Safety, Town Outside Village, and Highway Funds) budget of the Town of Orchard Park for the fiscal year ending December 31, 2018.

**TOWN OF ORCHARD PARK, NEW YORK Amendments to the Preliminary Ad Valorem Budget**

Fund, Department & Description	Budget Code	2018 Original Proposed	Added	Deleted	2018 Adjusted Total
<b>General Fund:</b>					
<b>Supervisor</b>					
Clerical Personnel	A.1220.137	\$ 134,407	\$	\$ (1,136)	\$ 133,271
<b>Town Clerk</b>					
Part-time Clerical - Tax	A.1410.139	16,640	333		16,973
<b>Recreation Department -</b>					
Playgrounds Recreation	A.7020.100	79,849	1,568		81,417
<b>Employee Benefits</b>					
State Retirement	A.9010.810	389,150	62		389,212
Social Security	A.9010.812	201,268	48		201,316
Medicare	A.9010.817	47,071	11		47,082
<b>Culture and Recreation Revenue</b>					
Park and Recreation Charges	A.2001.000	(525,000)		(39,375)	(564,375)
<b>Operating Transfers</b>					
Transfer to Public Safety Fund	A.9903.901	2,000,000	100,000		2,100,000
Transfer from Special Districts	A.5031.000			(100,000)	(100,000)
<b>Appropriated Fund Balance</b>	A599	(2,460,900)	588,900		(1,872,000)
<b>Tax Levy</b>	A1001.000	(556,348)		(550,411)	(1,106,759)

<b>Public Safety Fund:</b>					
<b>Police</b>					
Personal Services - Retirement Costing	PS.3120.199	100,000	100,000		200,000
<b>Employee Benefits</b>					
State Retirement	PS.9010.810	103,374		(11)	103,363

<b>Operating Transfers</b>					
Transfer from General Fund	PS.5031.000	(2,000,000)		(100,000)	(2,100,000)
<b>Tax Levy</b>	PS1001.000	(5,439,743)	11		(5,439,732)
<b>General Fund - Town Outside Village:</b>					
<b>Employee Benefits</b>					
State Retirement	B.9010.810	54,477	-	(6)	54,471
<b>Tax Items - Revenue</b>					
Non-Property Tax Distribution	B.1120.000	(400,000)		(100,000)	(500,000)
<b>Appropriated Fund Balance</b>	B599	(132,134)	100,006		(32,128)
<b>Tax Levy</b>	B1001.000			-	
<b>Highway Fund:</b>					
<b>Employee Benefits</b>					
State Retirement	DB.9010.810	205,461		(21)	205,440
<b>Miscellaneous Revenue</b>					
Other Unclassified	DB.2770.000	(5,000)		(6,500)	(11,500)
<b>Appropriated Fund Balance</b>	DB59	(300,000)	150,000	-	(150,000)
<b>Tax Levy</b>	DB1001.000	(4,101,684)		(143,479)	(4,245,163)

**The resolution was unanimously adopted.**

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

**WHEREAS**, the Supervisor, as the Town's Budget Officer, has caused a tentative benefit basis budget to be prepared and filed with the Town Clerk's Office, as provided by law, and

**WHEREAS**, the Town Board has met and considered the preliminary budget for the year ending December 31, 2018, and a public meeting was conducted on November 1, 2017 as required by Section 108 of Town Law,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the preliminary Benefit Basis Budget (Special Districts) as changed, altered and revised and as hereinafter set forth, is hereby adopted as the annual benefit basis budget of the Town of Orchard Park for the fiscal year ending December 31, 2018.

**The resolution was unanimously adopted.**

**Old Business #2 Authorize Final Payment & Release of Retention to Fairways Contracting**

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

**WHEREAS**, the Town Engineer informed the Town Board that the Hazel Court Sanitary Sewer Extension Project is complete. All work has been satisfactorily completed in accordance with the specifications, and

**WHEREAS**, A two-year maintenance bond in the amount of \$55,216.05 has been submitted along with all necessary legal documents, and

**WHEREAS**, The Over/Under Sheet lists the final adjustments to the quantities for each bid item, per original contract & Change Order #1.

**NOW, THEREFORE, be it**

**RESOLVED**, that the Town Board does hereby authorize the final payment and release of retention to Fairway Contracting, Inc., for the Hazel Court Sanitary Sewer Extension Project in the amount of \$20,999.76, as recommended by the Town Engineer.

**The resolution was unanimously adopted.**

**Old Business #3 Change Order with Wendel for the Brush Mountain Community Center**

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

**WHEREAS**, as directed by the Town Board, the Engineering Department requested costs associated with the civil site design and agency permit approval coordination work for Brush Mountain Community Activity Center. Due to the aggressive timeline suggested and unique design challenges anticipated for the site, a consultant proposal from Wendel Companies has been obtained to complete the necessary civil/site design along with obtaining the required permits for construction. With the current work load, the Engineering Department does not have the manpower at this time to complete the work to meet the project schedule, and

**WHEREAS**, the submittal outlines the detailed scope of work and fee schedule proposed. Professional services are to include Private Roadway and all Utility Design Work including the agency permitting procurements for the private access roadway, culverts, box culverts building and drainage appurtenances. Utilities include the design of water line, electric service, natural gas, telecommunication services as well as coordination of all involved agencies, and

**WHEREAS**, they will provide an updated Master Plan for the Brush Mountain Park Site including a matrix of projects, tasks, user group activities and that interfacing. Construction documents for competitive bidding and construction management services are also included in the proposal. Additional work included as directed by the Town Board includes Wetland permitting and relocation of the stream, site value engineering, and reimbursable expenses.

**NOW, THEREFORE, be it**

**RESOLVED**, that the Town Board does hereby approve the change order #1 to our contract with Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, P.C. Centerpointe Corporate Park, 375 Essjay Road, Suite 200, Williamsville, NY 14221, to provide professional services for the Brush Mountain Community Activity Center Civil/Site Design & Agency Permit Procurements in an amount not to exceed \$205,000.00, as recommended by the Town Engineer.

**The resolution was unanimously adopted.**

**New Business #1 Approve Village to Hold "Holiday in the Park" at Railroad Depot**

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

**RESOLVED**, that the Town Board does hereby approve the request of the Village of Orchard Park to hold their annual "Holiday in the Park" Celebration scheduled for Saturday, December 3, 2017, from noon to 3:00pm on Town property east of the Railroad Depot, and to display their tree in Steinwach's Oak Grove Green south of the library until the first week of January 2018. A Certificate of Liability is in place.

**The resolution was unanimously adopted.**

**New Business #2 Accept Certificate of Appropriateness for Eckl's Restaurant**

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

**WHEREAS**, Eckl's Restaurant, 4936 Ellicott Road, in accordance with Section 74-8 of the Town of Orchard Park Municipal Code (Historic Preservation) has applied for a Certificate of Appropriateness for a building addition, and

**WHEREAS**, the Town of Orchard Park Historic Preservation Board has reviewed the proposed addition, and

**WHEREAS**, the Historic Preservation Board has determined that the proposed addition is in compliance with the Town Code,

**NOW, THEREFORE, be it**

**RESOLVED**, that the Orchard Park Town Board approves a Historic Preservation Certificate of Appropriateness for Eckl's Restaurant, 4936 Ellicott Road.

**The resolution was unanimously adopted.**

**New Business #3 Approve creation of six part-time clerk positions for Records Management Grant.**

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

**WHEREAS**, the Orchard Park Town Clerk's 2017 budget allows for the hiring of part-time office staff, and

**WHEREAS**, the Erie County personnel office requires the creation of part-time clerk positions, and

**WHEREAS**, the Orchard Park Town Clerk's office has a continuing need for part-time office staff

**NOW, THEREFORE, be it**

**RESOLVED**, that the Town Board does hereby direct the payroll department to submit a request for six (6) part-time clerks in the Town Clerk's office.

**The resolution was unanimously adopted.**

**New Business #4 Declare Sewer & Water backhoe as surplus, & purchase a new "580 SL backhoe**

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

**WHEREAS**, per capital project meetings and budget submittals, the existing Sewer, Water and Lighting backhoe needed to be replaced. The Sewer Department has been using a 1995 Case 580 Super L backhoe loader to complete excavations for sewer repairs, water installations, street light repairs, landscaping projects and snow removal. When this aging backhoe suffers mechanical breakdowns, the entire Department's operations are severely affected. This machine is over 22 years old but still has a respectable trade in value of \$17,000.00. The Backhoe will be listed on Auction International Ad, but if the bids are lower than expected or trade in, it will be traded in, and

**WHEREAS**, for the Department's future efficient maintenance of the Town's ever growing infrastructure, a new backhoe loader with additional lifting capacity is necessary for the Department to continue to deliver the expected services our residents demand. The new machine will give the Department the ability to safely install the precast concrete light bases that taxed the old machine beyond its limit, and

**WHEREAS**, several manufacturers were looked at, with an equipment proposal being obtained for a 2017 Case 580 Super N backhoe loader. The backhoe can be purchased from Monroe Tractor under the National Joint Powers Alliance (NJPA) municipal pricing option. The NJPA pricing for the new machine is \$105,903.00, the NJPA municipal price is \$95,480.00 and the trade value of the Town's 1995 Case Backhoe is \$17,000.00, and

**WHEREAS**, there is presently funds allocated under capital projects H56 "Water/Sewer Equipment Acquisition" and General Equipment, Equipment Repair and Electric Equipment Lines for this purchase.

**NOW, THEREFORE, be it**

**RESOLVED**, that the Town Board does hereby declare the 1995 Case 580 SL as surplus equipment and approve the purchase of a new 2017 Case 580SN backhoe loader from Monroe Tractor, 5035 Genesee Street, Buffalo, NY 14225, under NJPA municipal pricing for a balance of \$78,480.00 with trade in for the Orchard Park Sewer, Water and Lighting Department, as recommended by the Town Engineer.

**The resolution was unanimously adopted.**

**New Business #5 Town Board to Support a Home Rule Request to amend Erie Co. Tax Law**

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

**WHEREAS**, since 2015 more than 800 homes in Western New York have been deemed "zombie houses" defined as properties undergoing the foreclosure process that can remain vacant for years; and

**WHEREAS**, the economic result of such vacant properties is nearly \$58 million worth of real estate in Erie County since it was last calculated; and

**WHEREAS**, if the home remains vacant for a long enough period of time the property value could decrease to such a level that it is no longer in a bank's financial interest to foreclose on the property implying that time is a crucial factor in these cases; and

**WHEREAS**, these houses remain empty typically due to homeowners' misunderstanding of proper foreclosure procedure - leaving these houses in limbo, i.e. the homeowners no longer maintain the property and banks are not legally obligated to. This means these properties are maintained oftentimes at the expense of the taxpayers; and

**WHEREAS**, in the United State the average time it takes to foreclose on a property is two years. If a house has been deemed abandoned by the municipality the foreclosure process should take one year; and



**WHEREAS**, as such the Town Board of Orchard Park requests permission from New York State to make the following amendments to the legislation known as the Erie County Tax Act; and

**WHEREAS**, the purpose of this resolution is to recommend the New York State Senate and Assembly amend § 9-1.0 of the Erie County Tax Act to shorten the period in which the holder of a tax sale certificate may foreclose on a property that is certified by a municipality to be vacant and abandoned from two years to one year; and

**WHEREAS**, additionally to recommend § 11-2.0 of the Erie County Tax Act be amended to shorten the period in which the county may foreclosure on a tax certificate on a property that is certified by a municipality to be vacant and abandoned from two years to one year.

**NOW, THEREFORE, BE IT**

**RESOLVED**, the Town of Orchard Park recommends to the New York State Senate and Assembly that they amend §9-1.0 of the Erie County Tax Act to shorten the period in which the holder of a Tax Sale Certificate may foreclose on a property that is certified by a Municipality to be vacant and abandoned from two years to one year, and be it further

**RESOLVED**, to additionally recommend that §11-2.0 of the Erie County Tax Act be amended to shorten the period in which the County may foreclose on a Tax Certificate on a property that is certified by a Municipality to be vacant and abandoned from two years to one year, and be it further

**RESOLVED**, that the Clerk of the Town of Orchard Park forward certified copies of this resolution to the New York State Assembly, attention Carl E. Heastie, and New York State Senate, attention Majority Leader Flanagan, as well as to the Erie County Executive, Mark Poloncarz, and to all other parties deemed necessary and proper.

Supervisor Keem stated this legislation supports making foreclosures happen quicker. Currently when a property is declared vacant, it is a two year time frame for it to go into foreclosure, and now we are going to cut that to one year, as other communities in this area are doing.

**The resolution was unanimously adopted.**

**New Business #6 Closure of Capital Project – Forest Avenue Bridge**

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

**WHEREAS**, the Town has completed project H68 – Forest Avenue Bridge, and

**WHEREAS**, the Town has also received all State and Federal aid associated with the project, and

**WHEREAS**, the Town now has cash available in the amount of \$887,141 from grant proceeds, and

**WHEREAS**, the Town has identified the original funding source of H68 as the 2015 Bond authorized for “Forest Drive Bridge” (Original BAN issuance 10/24/12), and

**WHEREAS**, the Town has ascertained that it is required to utilize the excess cash against the 2015 debt payments referenced above,

**NOW, THEREFORE, be it**

**RESOLVED**, that the Town Board authorizes the close of capital project H68 – Forest Avenue Bridge and transfer of excess cash in the amount of \$887,141 to the Highway Fund, where it will be restricted for payments of the 2015 debt, specific to the Forest Avenue Bridge project.

**The resolution was unanimously adopted.**

**New Business #7 Closure of Capital Project – Municipal Center Renovations**

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

**WHEREAS**, the Town has completed project H88- Municipal Center Roof and Renovations, and

**WHEREAS**, the project has a deficit cash balance of \$21, and

**WHEREAS**, the Town has determined that the General Fund will provide additional funding to close out the project.

**NOW, THEREFORE, be it**

**RESOLVED**, that the Town Board authorizes the close of capital project H88 – Municipal Center Roof and Renovations by transferring cash in the amount of \$21 from the General Fund within transfers out.

**The resolution was unanimously adopted.**

**BUSINESS FROM THE FLOOR**

No one came forward.

**BUDGET TRANSFERS**

**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 following Budget Transfers:

\$800.00 From: A.1110.0419 Town Justice – Other Expenses

\$800.00 To: A.1110.0200 Town Justice – Office Equipment

**The resolution was unanimously adopted.**

**ELECTED OFFICIALS & DEPARTMENT HEADS**

Supervisor Keem said last Tuesday was Election Day and he commended all those who came out to vote. He also wanted to thank all the people who supported him in this election, it is an honor and privilege to serve the people of Orchard Park.

Councilman Majchrzak thanked the residents who voted for him, he looks forward to serving the community.

Chief Pacholec addressed the issue regarding the drone legislation. He has been involved with drone and counter drone operations for four years and is on the state panel that sets up the curriculum for law enforcement and training. There has been six incidents at the stadium and one was when a drone crashed in the upper deck of the stadium. It was not a malicious act, the owner lost control of his drone when the battery died, fortunately there were not many people left in the stadium. His concern is public safety as recent incidents out west have proven, the greatest amount of injuries came when panic ensued. If one of these crashes in the stadium, the amount of people who will be hurt, or worse, could be devastating. Chief Pacholec said he is familiar with geofencing, and it is not as robust as you think. It doesn't always work. As Councilman Sherry had stated, they have met with the FAA and their attorneys regarding this legislation. The issue is public safety.

Chief Pacholec said the Police Department is sponsoring a car seat check at the Orchard Park Central Fire Hall on December 6, 2017 from 5pm to 8pm. On December 4, 2017 the Police Department is partnering with the Orchard Park School District for a Police Information Night with parents at 7pm. The topics are going to be Social Media issues, cyber bullying, public perception of Police, Police interactions, and youth issues as they related to drugs and e-cigarettes.

Highway Superintendent Piasecki said the leaf pickup is still underway, and will continue, and the plow trucks are all ready to roll when needed.

**16) 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 # 22 following auditing by members of the Town Board and in the funds indicated:

<b>General Fund</b>	\$367,556.87
<b>Public Safety Fund</b>	\$978,914.84
<b>Part Town Fund</b>	\$48,142.95
<b>Risk Retention</b>	-0-
<b>Cemetery Fund</b>	-0-
<b>Highway Fund</b>	\$293,696.60
<b>Special Districts</b>	\$10,130.52
<b>Trust &amp; Agency</b>	\$27,364.49
<b>Capital Fund</b>	\$97,122.44

**The resolution was unanimously adopted.**

**17) 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 receive and file the following:

- Public Hearing Notice held by the Erie County Legislature to consider the requests for the inclusion of predominantly viable agricultural lands within the existing agricultural districts.
- Notice of Policy changes by Erie County Water Authority. On file in Town Clerk's office.

**The resolution was unanimously adopted.**

**18) 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 receive and file the Building Inspector's monthly report for October 2017.

**The resolution was unanimously adopted.**

There being no further business, on a motion by Supervisor Keem, seconded by Councilman Majchrzak, the meeting adjourned at 8:10 pm (local time).

**Respectfully Submitted,**

**Remy C. Orffeo  
Town Clerk**