

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 4<sup>th</sup> day of November 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 October 21, 2015 Executive Sessions: October 7, 14, 21, 28, 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.**

**Old Business #1 Award the Bid of Solid Waste & Recyclables**

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

**WHEREAS**, the current contract extension expires January 31, 2016, and the town has received bids for a new contract, and

**WHEREAS**, the garbage collection options are presented, and

**WHEREAS**, the Town Engineer put together an extended tabulation of bid results showing the bid amounts for each contractor, including the different options and alternates, and per the Town Attorney, Alternate #7 and #8 from Modern Disposal and Republic Services cannot be awarded with notes they stipulated, the Engineering Department has reviewed the bids of the 3 waste firms and presented the following summary:

**Bid Option#1 Waste Management** = Weekly garbage, Bi-weekly bulk, Bi-weekly recycle & 65 gallon recycling cart.

**WHEREAS**, the Collection, Hauling & Disposal of Mixed Municipal Wastes, Bulky Wastes, & White Goods and Collection, Hauling, & Processing Recyclables as follows to Waste Management, 100 Ransier Drive, West Seneca, NY 14224: Bid Option #1 for \$186.12/unit = \$1,603,796.04/year or \$133,649.67/month with 65 gallon recycle carts for \$43.77/unit and adding Alternate #2 bulk/white pickup weekly for \$0 (no

charge). The Town Engineer recommends accepting Alternates #3 and #4. These alternates do not affect the unit price but set the costs for resident's cart options.

**Bid Option #2 Modern Disposal** = Weekly garbage, monthly bulk, weekly recycle & 18 gallon totes.

**WHEREAS**, the Collection, Hauling & Disposal of Mixed Municipal Wastes, Bulky Wastes, & White Goods AND Collection, Hauling, & Processing Recyclables as follows to Modern Disposal Services Incorporated, 4746 Model City Road, P.O. Box 209, Model City, NY 14107; Bid Option #2 for \$206.42/unit = \$1,778,721.14/year or \$148,226.76/month and add Alternate #2 bulk/white pickup weekly for \$0 (no charge), town is currently paying \$150/unit +/- for this service.

**Bid Option #3 Modern Disposal** = Weekly garbage & 95 gallon cart, Bi-weekly bulk, Bi-weekly recycle & 65 gallon cart.

**WHEREAS**, the Collection, Hauling & Disposal of Mixed Municipal Wastes, Bulky Wastes, & White Goods and Collection, Hauling, & Processing Recyclables as follows to Modern Disposal Services Incorporated, 4746 Model City Road, P.O. Box 209, Model City, NY 14107; Bid Option #3 \$189.39/unit and \$46.00/ recycle cart, and \$0 (no charge) adding bulk pick up weekly, and

**WHEREAS**, the results show, the Town residents are getting the best dollar value with Option #3. The contractor will be supplying all units with 95 gallon trash carts for only an additional \$3.27/unit/year. This is much cheaper than any light duty trash can you will find at local hardware stores. The low bid results in a \$22.12/unit, \$190,608.04/year or \$1,143,648/contract savings for 6 years from the next lowest bidder, and

**WHEREAS**, Option #3 also adds future savings by having the Town own carts under this contract, which per these bid results will reflect future savings in operation service cost. If carts are awarded, Alternate #3 & #4 should be included for recyclables carts and Alternate #5 & #6 included for trash carts.

Alternate #3 is the cost for a resident to switch from a 65 to 95 gallon recyclable cart (\$150.00).

Alternate #4 is the cost for a resident to purchase a second 65 gallon recycle cart (\$110.00).

Alternate #5 is the cost for a resident to buy a second 95 gallon waste cart (\$150.00).

Alternate #6 is the cost for a resident to downsize from a 95 to 65 gallon waste cart (\$150.00).

**WHEREAS**, with the award of Alternate #3 & #6, the Town should maintain ownership of surrendered carts. Under Alternate #3 and #6 the Town Sewer, Water & Lighting Department could store or pick-up and store the surrendered cart for future use or replacement, since the original cost of the cart was previously covered under the contract. The Town Engineer therefore recommends that you award the Collection, Hauling & Disposal of Mixed Municipal Wastes, Bulky Wastes, & White Goods AND Collection, Hauling, & Processing Recyclables to Modern Disposal Services Incorporated, 4746 Model City Road, P.O. Box 209, Model City, NY 14107; Bid Option #3 for \$189.39/unit = \$1,631,973.63/year or \$135,997.80/ month with 65 gallon recycle carts for \$46.00/unit and including Alternate #2 bulk/white pickup weekly for \$0.00 (no charge). I would also recommend accepting Alternates #3, #4, #5, and #6. These alternates do not affect the unit price but set the costs for resident's cart options.

Supervisor Keem called for a general discussion, which there was none, and a roll call vote which resulted as follows:

Supervisor Keem Voted for Option 3, as it is the best value to our residents, and long term benefits. Option 1 is the least expensive but doesn't provide the best value. Refuse carts eliminate trash and debris flying all over neighborhood, easily handled and rolled to the road. Reduces the need for 2 person trucks and decrease overhead. Collecting recyclables in 65 gal totes bi-weekly which reduces fuel costs, and increases amount of recycling by residents. Carts are a more convenient way to recycle and residents don't have to be concerned

about breaking down cardboard and separating recyclable goods. Why also did I select Option 3; is the best value, also having several meetings with Erie County Public Health sanitarian about the movement of rats when trash and recycle totes were used in Lackawanna and West Seneca and the rats moved into Orchard Park. Rats leave the community searching for food not in garbage receptacles and rats in turn have a potential to cause harm with a bacteria Leptospirosis (transmitted from rat urine), West Nile Virus (from crows that break into trash bags, then mosquitos) are also a health concern related to garbage not being in totes.

If we are to consider the best value and long term benefit to our town, bid option 3 is the logical choice for an additional \$2,485.38 a month, over 5 years, would only be \$146,637. Each pick up stop not only receives a 65 gal recycle tote but also a 95 gal trash tote. The execution of a 5 year renewable option, ownership of the trash totes goes to the town. We would lose out on a 50% matching grant from NY State by not selecting option 3. By investing \$396k from trash reserves, will be able to recoup about \$200k from NY State and as supervisor of Amherst Berry Weinstein (who has had both totes over 8 years), took less than 3 years to recoup the 50% grant money. I didn't vote for Option 2, old way of doing things, and doesn't move OP in the 21<sup>st</sup> century, doesn't reap benefits for the town.

Councilmember Gene Majchrzak voted for Option 1, as it is as close to a volunteer program verses forcing this on our residents. Folks that want to participate in the tote program could, and those that didn't, they don't have to, but hopefully would feel comfortable in entering the tote program. Been a little bit confused or curious as to people wanting the tote program, but are not in the tote program now and could be if they chose to. Option 1, I feel gives us closest that we can get to a volunteer program, which is why I am thinking to take into account all the different needs and concerns both positive and negative of all of our residents. Need to take into account needs and concerns of the program, and take into consideration storage for totes, long driveways, weather issues, and so on. My vote is for Option 1 as it is the option that gets closest to a volunteer program.

Councilmember Mike Sherry spent some time this morning driving around neighborhoods that he knew were having trash pickup. He estimated that 25% of residents use multiple bags and cans (and sizes) and felt that residents with smaller cans suggesting that they had little weekly trash or physical limitations. Also estimates 40% of members of the community had more than 1 recycle tote and a larger recycle tote would be beneficial, no limits or requirements placed upon others as we already use a recycle bin in Orchard Park, and concluded that larger recycling carts would be beneficial. Also saw many residents where a single trash can may be insufficient, and if needed, an extra garbage tote would cost \$150, that would go directly to the tax payer if you need another one. For many residents a larger trash cart would provide cumbersome and hauling out of the driveway in inclement weather. The second consideration was about the concern on rats & rodents, the building inspector's office did receive over a dozen calls on rats on northern part of town last year and early this year, but since then none in his office. Also per the Erie County Health department website, there is already legislation requirements on controlling rodents and requires every occupant as well as businesses store all garbage or organic waste in a clean sanitary and safe manner, "rodent, insect, water tight refuse containers" need to be used including at the curb for collection. So, there is already legislation that addresses and prevents a rodent problem, and we don't need to constraint our residents, we just need to inforce what is in place. Third consideration is a political value, don't believe that government should legislate unless there is a clear 'good' to be achieved, or harm to be prevented. In this matter, there is a public good for larger recycle carts both ecologically and financially, but don't believe there is a public good to be achieved by legislating trash carts and may prove a hardship, financial, use of property space or physical difficulties, therefore I vote in favor of Option 1, for the recycle cart only.

**NOW, THEREFORE, be it**

**RESOLVED**, Town Board does hereby award the bid for Garbage Contract the Collection, Hauling & Disposal of Mixed Municipal Wastes, Bulky Wastes, & White Goods AND Collection, Hauling, & Processing Recyclables as follows to Waste Management, 100 Ransier Drive, West Seneca, NY 14224: Bid

Option #1 for \$186.12/unit = \$1,603,796.04/year or \$133,649.67/month with 65 gallon recycle carts for \$43.77/unit and adding Alternate #2 bulk/white pickup weekly for \$0.00 (no charge), and accept alternates #3 and 4.

**The resolution was duly adopted.**

### **Public Hearing**

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

Supervisor Keem asked if there was anyone in the audience who would like to speak for or against the proposed 2016 Ad Valorem Budget, the following people spoke:

Resident Wayne Brown spoke that he has no problem with the proposed budget, but mentioned the several power outages in the Eagle Heights area and there is an outdated electrical grid. NYSEG has been approached and said it is on Orchard Park who needs to address it, and Orchard Park says it is NYSEG.

Resident Fred Oddie said he did not review the budget (as did not know it was available). Mr. Oddie had a series of questions about the proposed 10% increase to the budget. (Pat Keem commented, answers will be addressed from the Town Board during "Business from the Floor")

- Why is the town funding the Resource Officer if the facility is for the Boces School? One of the things was that BOCES would pick up some percent and OP pick up 25% of cost. From what I see every day, that facility is an Erie County Facility, so why is Orchard Park putting 25% of police salary to patrol this school. If an Erie County BOCES, school could the Erie County Sheriffs' take care of it as they take care of the holding center?
- How will the 10% increase be spent? Appears only a small amount of Erie County Sales Tax money goes to Orchard Park (13%), of that 10% are we still going to get a fraction of the 10% (town gets 13%), and Orchard Park seems to get the short end of the Sales Tax distribution as a 'Town', why can't we incorporate as a 'City' to get more distribution?
- Would like to see push back from our Town Board, if we don't get any relief from state on mandate relief or aid from state. If we get additional requirements, the state isn't providing any resources. Can't Towns start to get state to stop put mandates on the town?

Ryan Neumiester, works at Capital Markets Advisors, which is a financial advisor to the town, and recently sold bonds for the town which has a Moody's rating of Aa2 (judges the financial responsibility of the town and where it sits to pay back the bonds, and how fiscally strong the town is going forward). One of the strengths the town has is a healthy financial position due to sound fiscal management, conservative budget practices, and prudent fiduciary management. The challenge for the town is that it is limited in revenue raising abilities due to property tax cap. Aa2 is one of the highest rating in WNY which is important to note, people outside of WNY are paying attention to Orchard Park, as a well-managed and desirable place to live and work for many reasons.

Bob Fortenbaugh asked for more information on the Workers Compensation line in the budget. One newspaper report states a \$200,000 increase in workman's comp cost, and another report (letter from the board outlining budget issues) states 200% increase in the workman's comp cost. Now there have been 2 articles stating different and conflicting numbers. Both of those seem quite large. From the information that was pulled off the website, looks like the cost is going from \$200,000 to \$375,000. That is an extremely large increase. One of the factors that goes into determining what Workman's Compensation Specifications and the experienced modification factor has increased, which contributes to added cost. Have determined that the modification factor has increased by 15 points, from .79 to .94, which is still better than average. Would like the board to elaborate on the increase as it seems large.

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

RESOLVED, that the Public Hearing in the matter is hereby closed at 7:39 PM.

The resolution was unanimously adopted.

**New Business #1 Authorize Budget Amendment for Lighting Upgrades**

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

WHEREAS, lighting upgrades are requested for the Police Department/Municipal Center, and

WHEREAS, the NYSEG lighting rebate was received in September 2015 in the amount of \$8,089.50, which was not included in the 2015 adopted budget.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorize the following amendments to the Town's 2015 budget in the General Fund to provide funding for such upgrades:

**General Fund:**

<b>Increase estimated revenues</b>	<b>Increase appropriation account</b>	
A.0000.2770 Other Unclassified Revenue	A.1620.0445 Remodeling & Renovations	\$ 7,000.00

The resolution was unanimously adopted.

**New Business #2 Adopt Letter of Authorization for Unpaid items to Tax Warrant**

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

WHEREAS, in accordance with New York State Law, Section 198, the Town Board had opted to enforce unpaid accounts for water, sewer, refuse and other unpaid town services as indicated below, by placing a lien upon the real property for which such services were provided, and

WHEREAS, in light of the aforementioned, the Erie County Legislature shall levy in such sums as indicated below and against the applicable properties as provided for on the Town Assessor's master computer assessment roll file, which is also hereby being delivered by the assessor with this letter of authorization:

Total Unpaid Water Erie County & Orchard Park	\$ 6,182.65
Total Unpaid Refuse & Pro-Rated Garbage	\$ 2,783.81
Total Other Charges Property Maintenance	\$22,709.96
(\$22,165.46 + \$544.50 fees)	
Total Sidewalk Snow Removal	<u>\$ 6,035.00</u>
Total of Items Above	\$37,711.42

NOW, THEREFORE, be it

**RESOLVED**, that the Town Board of the Town of Orchard Park in accordance with New York State Law, Section 198, does hereby adopt all special charges as outlined on the "Letter of Authorization", as recommended by the Town Accountant.

**The resolution was unanimously adopted.**

**New Business #3 Dedication of PIP #2015-02 Public Drainage Improvement to 19 Hillsboro**

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

**WHEREAS**, On June 11, 2015, a final inspection was conducted of the public drainage improvement constructed at 19 Hillsboro Drive. The project consisted of the installation of 217 L.F. of new 18-inch HDPE pipe, 2 stormwater drain inlets, and establishing/armoring the pipe outlet, and

**WHEREAS**, the drainage pipe serves as an outlet for the existing roadside underdrain collected system part of Hillsboro Drive. With the development of the sub lot, the pipe needed to be relocated and the outlet ditch covered, and

**WHEREAS**, all work has been satisfactorily completed in accordance with Town specifications. The submission of a maintenance bond was waived at the March 18, 2015 Town Board Meeting.

**NOW, THEREFORE, be it**

**RESOLVED**, Town Board does hereby authorize the Town Attorney to proceed with the dedication of the public drainage improvement at 19 Hillsboro Drive constructed under PIP #2015-02.

**The resolution was unanimously adopted.**

**New Business #4 Sign a Memorandum of Agreement with Western NY Stormwater Coalition**

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

**WHEREAS**, the Memorandum of Agreement (MOA) continuing the Western New York Stormwater Coalition. The Town has been an active participant in the Coalition for over nine years and has benefited from the work the Coalition has accomplished. The Town signed the original Memorandum of Agreement, December 21, 2005 and again on October 20, 2010.

The Coalition has assisted the Town with the six management controls:

- 1.) Public Education and Outreach; Stormwater brochures and pamphlets, posters, displays for public meetings, banners, web page, web banners, billboards, training, and school programs.
- 2.) Public Involvement/Participation; cleanup events, community meetings, & stakeholder meetings.
- 3.) Illicit Discharge Detection and Elimination; mapping of Town outfalls, training, provided template for local ordinance, & secured grant money for training, testing equipment and mapping projects, & set up inspection guidelines.
- 4.) Construction Site Stormwater Runoff Control; provided templates for local ordinance, stormwater pollution prevention plans, & review of stormwater plans, training of Town staff, local developers and contractors.
- 5.) Post Construction Management; provided templates for inspection of post construction stormwater practices, & training.

- 6.) Stormwater Management for Municipal Operations; assist the Town in listing municipal operations /facilities that contribute to MS4 stormwater systems, training Municipal staff on stormwater maintenance practices, perform assessment of Town stormwater facilities, & provided template for inspection of Town facilities. In addition to the six minimum control listed, the Coalition has been able to secure grants through the NYSDEC on behalf of the 41 members that make up the Coalition.

**WHEREAS**, the Town must continue to fully implement the Stormwater Phase II six management practices that are required by the New York State Department of Environment and Conservation (NYSDEC), and the U.S. Environmental Protection Agency. The Engineering Department has been working on the six management controls that are part of the Stormwater Phase II requirements with the Coalition, and

**WHEREAS**, the MOA is the document that will continue the Coalition and establishes the rights and responsibilities of members, including final cost obligations. The By-Laws are the rules that will govern the conduct of the Coalition proceedings and other administrative matters. Key provisions, of the MOA and By-Law section include Meeting By- Laws for the annual meeting and regular monthly meetings, Adoption of By-Laws, Voting Procedures, Representation, and Financial Obligation of Members and Fiscal Policies of the Coalition, and

**WHEREAS**, being a member of the Coalition, the Town has definitely benefited and the continued participation within the Coalition will only aid the Town in achieving many of the required, or future mandated stormwater management practices required by NYSDEC & EPA. The proposed participation fee is \$1,250 per Municipal Separate Storm Sewer System (MS4's) per year.

**NOW, THEREFORE, be it**

**RESOLVED**, Town Board does hereby authorize the Supervisor to sign the Memorandum of Agreement for the Western New York Stormwater Coalition and authorize the Town to pay the annual membership participation fee of \$1,250 per year until December 31, 2020, as recommended by the Town Engineer.

**The resolution was unanimously adopted.**

**New Business #5 Approve 5K Runs Scheduled through Recreation Department**

8) 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 following events: 1.) Boys on the Run 5K on November 15, 2015 at 11 am. 2.) Holly Jolly 5K Run on December 5, 2015 at noon. 3.) Frozen Chosen 5K on January 23, 2016 at 11 am. All requirement and financial commitments have been met according to the special events application process. Fees will be paid to the Town if additional costs are incurred for plowing of the streets on the run route other than the normal coverage. As recommended by the Police Chief and Recreation Director.

**The resolution was unanimously adopted.**

**New Business #6 Rate Change for 2015 Fall / Winter / Spring Seasonal part-time staff appointments**

9) 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 rate increase retroactive 9/14/2015 to the Recreation Department as part-time seasonal staff, as recommended by the Recreation Director.

<u>Name</u>	<u>Old Rate</u>	<u>New Rate Position Effective 9/14/15 (Title*)</u>
Elizabeth Egloff	\$9.50 PT2-D	\$11.00 PT3-E (Att)

**The resolution was unanimously adopted.**

**New Business #7 Parks and Recreation/ Compost Stipends Removal**

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

**WHEREAS,** the Town of Orchard Park annually awards stipends for management of Parks and Recreation Maintenance and operation of the Compost Facility, and

**WHEREAS,** in the past these stipends have been specifically designated to the Highway Superintendent, and

**WHEREAS,** the Town Board of Orchard Park now wishes to redirect the designation of the stipends for Parks and Recreation Maintenance and Compost Site Management.

**NOW, THEREFORE, be it**

**RESOLVED,** that the Parks and Recreation Maintenance and Compost stipends are no longer specifically awarded to the Superintendent of Highways, and be it further

**RESOLVED,** that the Town Board reserves its authority to award these stipends as it sees fit for the Budget year 2016 and ensuing years.

**The resolution was unanimously adopted.**

**BUSINESS FROM THE FLOOR**

Patricia Meckes wanted to thank the board on quick action on a neighbor that had the complaint about the garbage at a previous board meeting but the intersection of Newton Road and South Abbott remain unsafe once again. When the garbage came out it remains out at the street again, along with the debris, sticks, anything she can put at the road. It is a public safety issue, cars have to stop, wait to go around the double yellow just to make the turn. Presented a signed petition of local residents for the homeowner to remove garbage cans which are a public safety issue and an eye sore. Looking to the town for recommendations to keep this intersection safe. Ms. Meckes also commented on the garbage totes, and that West Seneca uses both garbage and recycle totes and it looks clean as the garbage stays in the totes and aesthetically looks good. The garbage totes would help this situation at Newton & South Abbott Road so the trash doesn't go all over. Whatever we can do to get this resident to take care of her garbage, need the help of the town board again.

**ELECTED OFFICIALS & DEPARTMENT HEADS**

Mike Sherry commented on the resolution for the removal of the stipend. The board is looking at all departments and be as efficient and effective as we can. This is another example of how the board wants to be in a position to look at all departments and allocate resources in the best way possible. Because of a past resolution, we need to pass this resolution so we have the ability to do that, and explore other alternatives to make sure we are being as efficient as possible.



Regarding the comments on the intersection of Newton and South Abbott. Have a few ideas that will discuss with the Building Inspector and Town Attorney if they are doable. Maybe be proactive and aggressive. Even under our current agreement, there is a limit of the number of cans and bags you can have out. One of the shortcomings of the refuse options, you get 1 trash can, you pay extra for a second. The option 3 garbage wouldn't elevate the excess of trash for this resident.

Mike Sherry said the town Accountant will address the Workman's Compensation issue to the degree he feels ready this evening. With respect to Fred Oddie and other issues raised, the School Resource Officer for Boces is a private school district, and not county property. Furthermore, there has been additional negotiations with the Superintendent and there will be no cost to the town of Orchard Park. There are a number of benefits from a police perspective gained by having a School Resource Officer in a school like that.

Also the issue was raised about pushing back (what can be done) the whole tax cap and shell game that Albany is pulling with respect to the shuffling of taxes. Albany says, "Look how good we are doing", and pushing things down to the local level. One of the things we have recommended is not only the local elected officials and people contact the other local official's that they elect to state senate and assembly and also cast votes.

To end on the budget and a few more statistics. In Orchard Park we pay \$3.47 per 1,000 of full market value on our homes. The average on the peer communities is \$6.53, we are the lowest. Our taxes are \$3.06 per \$1,000 less than our peers. Others are 88% higher than ours. Public Safety, highway, recreation and culture is \$280.00 a year of our taxes. Our Peers: \$405.00 a year. The services we provide are what we believe our community wants at the most economical cost. We continue to do our best as you heard in the bond rating to keep it that way. We have eliminated vacant positions (not people). The only thing more we can do is start cutting employees, but it hurts the services they supply. And we believe our community wants the services they have and not have them cut into or diminished.

Pat Keem stated that on the County Town Tax bill, only 13% of the total bill comes to the Town. The 10% increase will only be on that 13% portion of the bill. If you take an average size home in Orchard Park which is valued at \$263,000 which would make the assessed value at 150,000. You pay \$912.00 a year to the Town out of the total tax bill. With the 10% increase your taxes would go up about \$90.00.

The Sales Tax distribution formula was put in place in 1977 and formula hasn't changed, at that time, many more people lived in the city of Buffalo, since then many people moved to suburbs, and the formula hasn't changed. The city now gets more than \$2 then a suburban resident gets.

Our current garbage contract is \$107,000 a month, and approved \$133,000 a month. When we analyzed the bid, now we have a \$300,000 hole in our budget, workman's comp increase. People say don't increase taxes, but there are a lot of things we have been hit with.

Gene Majchrzak suggested that Fred Oddie should reach out to Jack Mills the County Legislator regarding the sales tax distribution and your interest in this program. The county legislature as a whole should push this. If everyone would reach out to their family members and vote. Don't be caught up in political party, pay attention to the individual, what their track record is.

The garbage totes while you may not see the cost of the garbage totes in a bid, they are not free. Option #1 which was selected, if someone wants to purchase a garbage tote they can, you have the ability to purchase a garbage tote above and beyond the recycle tote.

Town Accountant Tom Malecki touched on how they broker out insurances, and looked at the Workman's Compensation and we are in the ball park, but we are open to other ideas from Mr. Fortenbaugh to see if we can get lower rates.

## **BUDGET TRANSFERS**

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

<u>From</u>	<u>To</u>	
Board Assessment Review Account (BAR) A.1355.455 \$1,200	A.1355.110	\$ 435.00
	A.1355.137	\$500.00
	A.1355.111	\$185.00

**The resolution was unanimously adopted.**

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 #21 following auditing by members of the Town Board and in the funds indicated:

<b>General Fund</b>	\$69,998.76
<b>Public Safety Fund</b>	\$16,916.90
<b>Part Town Fund</b>	\$2,686.18
<b>Risk Retention</b>	-
<b>Cemetery Fund</b>	-
<b>Highway Fund</b>	\$23,218.00
<b>Special Districts</b>	\$133,362.13
<b>Trust &amp; Agency</b>	\$22,525.17
<b>Capital Fund</b>	\$62,452.55

**The resolution was unanimously adopted.**

There being no further business, on a motion by Supervisor Keem, seconded by Councilmember Majchrzak, the meeting adjourned at 8:07 pm (local time).

**Respectfully Submitted,**



**Remy Orffeo**  
**Appointed Town Clerk**