

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 20th day of November, 2013 at 7:00 PM, the meeting was called to order by Supervisor Colarusso and there were:

PRESENT AT ROLL CALL:

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

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 COUNCILMEMBER KACZOR, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER MAJCHRZAK, TO WIT:

RESOLVED, that the Regular minutes of the Town Board Meeting held on November 6, 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 Cancel Town Board Work Session for November 27, 2013

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

RESOLVED, that the Town Board does hereby authorize the cancellation of the November 27, 2013 work session, due to the Thanksgiving Holiday.

The resolution was unanimously adopted.

New Business #2 Declare Negative Declaration for 3621 Southwestern Blvd.

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

RESOLVED, that the Town Board does hereby declare a Negative SEQR determination for 3621 Southwestern Blvd. in regard that it is vacant land which the West Herr Auto Group is purchasing from Erie County.

The resolution was unanimously adopted.

New Business #3 Adopt Supervisor's Ad Valorum Budget with amendments

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

RESOLVED, that the Town Board does hereby adopt the Town of Orchard Park 2014 Ad Valorum Budget (includes General, Public Safety, Town Outside Village & Highway Funds) as previously filed by the Town Supervisor and known as the "Preliminary" 2014 Ad Valorum Budget with the following amendments:

<i>Fund, Department & Description</i>	<i>Budget Code</i>	<i>2014 Original Proposed</i>	<i>Added</i>	<i>Deleted</i>	<i>2014 Adjusted Total</i>
General Fund					
Supervisor					
Personal Serv. Clerical Personal	A.1220.137	158,105	-	307	157,798
Budget					
Personal Serv. – Budget Officer	A.1340.100	6,000	-	3,000	3,000
Assessor					
Personal Serv. – Clerical Personal	A.1355.111	62,346	-	27,144	35,202
Engineer					
Personal Serv. – Asst. Engineer	A.1440.111	499,850	-	1,305	498,545
Central Services					
Travel, Conf. & Mileage	A.1670.413	13,000	500	-	13,500
Information Technology Services					
Personal Services– Computer Technician	A.1680.130	59,250	-	1,500	57,750
Recreation – Playgrounds					
Personal Serv.-Recreation Director	A.7020.100	69,534	1,344	-	70,878
Parks & Playgrounds					
Personal Serv.-Parks Superintendent	A.7110.100	11,363	537	-	11,900
Celebrations					
Orchard Park Chorale	A.7550.441	1,200	-	700	500
Conservation Board					
Personal Serv. – Board Members	A.8730.100	6,555	175	-	6,730
Personal Serv. – Board Alternate	A.8730.101	900	25	-	925
Appropriated Fund Balance Unrestricted					
Real Property Tax Levy	A.599	1,291,616	-	37,724	1,253,892
	A.1001	432,680	-	801	431,879
General Town Outside Village					
Information Technology Services					
Personal Serv. – Computer Technician	B.1680.130	19,750	-	500	19,250
Safety Inspection					
Personal Serv.- Supervising Code. Enforce.	B.3620.100	69,082	-	668	68,414
Zoning					
Personal Serv. – Board Members	B.8010.100	4,755	125	-	4,880
Personal Serv. – Board Alternate	B.8010.101	900	25	-	925
Planning					
Personal Serv. – Board Members	B.8020.100	6,555	175	-	6,730
Personal Serv. - Board Alternate	B.8020.101	900	25	-	925
Non-Property Tax Distribution by County					
	B.1120.000	438,469	-	818	437,651
Public Safety Fund					
Control of Animals					
Personal Serv. – Animal Control Officer	PS.3510.100	60,000	-	30,000	30,000
Personal Serv. – Asst. Animal Control Off.	PS.3510.111	10,320	15,000	-	25,320
Real Property Tax Levy					
	PS.1001	4,889,762	-	15,000	4,874,762

The resolution was unanimously adopted.

New Business #4 Adopt Supervisor’s Benefit Basis Budget with amendments

5) 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 adopt the Town of Orchard Park 2014 Benefit Basis Budgets (which includes various special district funds) as previously filed by the Town Supervisor and known as the “Preliminary” 2014 Benefit Basis Budget with the following amendments:

<i>Fund, Department & Description</i>	<i>Budget Code</i>	<i>2014 Original Proposed</i>	<i>Added</i>	<i>Deleted</i>	<i>2014 Adjusted Total</i>
<u>Consolidated Water and Sewer Operation</u>					
Indirect Operations:					
Personal Services Town Attorney	001.8345.110	\$15,900	3,600	-	19,500
Personal Services – Supervisor Stipend	001.834.117	3,600	-	3,600	-0-

The resolution was unanimously adopted.

New Business #5 Create & Fund Debt Service Reserve for Town Highway

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

WHEREAS, the Town wishes to provide for Highway Fund’s future debt service requirements relating to infrastructure improvements by creating a Debt Service Reserve Fund, and

WHEREAS, such a Highway Fund debt service reserve fund will allow Town taxpayers some relief from future debt payments relating to necessary improvements, and

WHEREAS, the Town’s Highway Fund has existing surplus funds to provide for the establishment of such reserve,

NOW, THEREFORE, be it

RESOLVED, that the Town Board authorizes the establishment of a debt service reserve fund within the Town’s Highway Fund, and be it further

RESOLVED, that the Town Board authorizes the funding of the Debt Service Reserve with a transfer of \$500,000 from the Highway Fund’s undesignated fund balance account

The resolution was unanimously adopted.

New Business #6 Dedication of PIP 2012-03 Riley Meadows Subdivision

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

WHEREAS, on November 13, 2013, a final inspection was conducted of the public improvements constructed in the Riley Meadows Subdivision, Phase 1. The project included the construction of Riley Meadows and a small section of Golden Oak Lane. The completion of this subdivision phase will allow 23 new single family residential lots to be developed, and

WHEREAS, all work has been satisfactorily completed in accordance with Town specifications with the exception of the following, which will be completed when the weather permits:

- o Nine (9) street lighting wiring only and spare light, etc. \$11,000
- o Subdivision topsoil / seeding and grading and subplot berm grading plan. \$ 3,500
- o Murphy Rd. landscaping, 14 trees, bushes & grading. \$11,500
- o Rebar end section cover, rocking grate DI #4A & #6A. \$ 500

WHEREAS, the Town is in receipt of the cash securities for the items noted above. A two-year maintenance bond letter in the amount of \$475,000.00 has been submitted along with all other necessary documents.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the Town Attorney to proceed with the dedication of the public improvements in the Riley Meadows Subdivision, Phase 1 constructed under PIP #2012-03, and authorize the Town Clerk to release the performance security in the amount of \$95,000.00, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #7 Appoint Public Safety Dispatcher

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

RESOLVED, that the Town Board does hereby appoint Frank Wierzbowski to Part-time, non-competitive, Public Safety dispatcher at the pay rate of PT 0003 , \$13.35 per hour, as of November 23, 2013, as recommended by the Chief of Police.

The resolution was unanimously adopted.

BUSINESS FROM THE FLOOR

Jacqueline Briggs – Ms. Briggs discussed some of the programs being presented at the Senior Center - Living Healthy with Chronic Disease Management, Senior Services Outreach and Health Insurance Information and Counseling Assistance Program. These programs are open to all seniors.

ELECTED OFFICIALS & DEPARTMENT HEADS

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 following budget transfers:

Engineering		
\$700	From: A.1440.200	Engineering Equipment
	To: A.1440.445	Vehicle Maintenance

Public Safety:

\$22,300	From: PS.3120.225	PS Police – Other Equipment	
	To: PS.3120.407	PS Police – Uniforms	\$12,000
		PS.3120.401	PS Police – Police Supplies \$10,300
\$3,500	From: PS.0000.2705	PS Police – DARE Gifts & Donations	
	To: PS.2989.419	PS Police – DARE expenses	

The resolution was unanimously adopted.

Chief Pacholec reminded residents, that next Friday, November 29, 2013 is Black Friday. There will be a University of Buffalo vs. Bowling Green football game at Ralph Wilson Stadium, and there will be about 20,000 college students attending this event.

Highway Superintendent Piasecki announced that the South Abbott Road Bridge is finally completed and opened to the public. He stated that the Highway Department is out in full force picking up leaves. He stated that the Buffalo Bills are going to be sponsoring an electronics drive this Saturday, November 23rd, from 10:00am to 3:00pm at the Ralph Wilson Stadium, Parking lot 1.

10) 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 #22 following auditing by members of the Town Board and in the funds indicated:

General Fund	\$21,441.25
Public Safety Fund	\$43,214.75
Part Town Fund	\$1,133.78
Risk Retention	0.00
Cemetery Fund	0.00
Highway Fund	\$68,478.16
Special Districts	\$50,558.40
Trust & Agency	\$33,416.36
Capital Fund	\$480,330.70

The resolution was unanimously adopted.

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

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

Communications

- County of Erie has re-opened South Abbott Road (BR 28-3) bridge to traffic on November 19, 2013. Any questions concerning this matter, contact Wayne Scibor at 858-6419.

Reports

- Chief of Police Monthly Report for October 2013

The resolution was unanimously adopted.

There being no further business, on a motion by Supervisor Colarusso, seconded by Councilmember Majchrzak, the meeting adjourned at 7:18 pm (local time).

Respectfully Submitted,

A handwritten signature in cursive script that reads "Carol R. Hutton".

**Carol R. Hutton
Town Clerk**