

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 19th day of July 2017 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 July 5, 2017, Executive Sessions: July 5, 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.

Old Business #1 Set a Public Hearing for Rezoning Request for 7186 Ellicott Road

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

RESOLVED, that the Town Board is hereby authorized to schedule a Public Hearing for August 16, 2017 in the matter of a petition to rezone a portion of the property at 7186 Ellicott Road (zoned B-2 and R-1) which is zoned B-2 to R-1, as requested by Bart Adams Jr. for the purpose of constructing a residential home, and be it further

RESOLVED, that the Town Clerk is hereby directed to publish due notice thereof.

The resolution was unanimously adopted.

New Business #1 Receive and File 2017 Comprehensive Annual Financial Report

3) 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 receive and file the following reports: (1) 10 Basic Financial Statements, Required Supplementary Information and Supplementary Information for the Year Ended December 31, 2016 and Independent Auditor's Reports, (2) the Comprehensive Annual Financial Report for the Year Ended December 21, 2016 and Independent Auditor's Report, (3) Statement of Cash Receipts and

Disbursements – Town Justices for the year Ended December 31, 2016, and (4) Statement of Cash Receipts and Disbursements - Town Clerk for the Year Ended December 31, 2016. A copy of each report is on file in the Town Clerk's office for review, and be it further

RESOLVED, that the Town Clerk is to publish due notice thereof in the Orchard Park Bee.

The resolution was unanimously adopted.

New Business #2 Receive and File NYS Comptroller's Report for Town Recreation Cash Receipts

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

RESOLVED, that the Town Board does hereby receive and file the New York State Comptroller's Report of Examination for the Town of Orchard Park Recreation Department Cash Receipts for the period of January 1, 2015 to January 27, 2017, and be if further

RESOLVED, that the Town Clerk is to publish due notice thereof in the Orchard Park Bee.

The resolution was unanimously adopted.

New Business #3 Approve Block Party Requests

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

RESOLVED, that the Town Board does hereby approve the Block Party requests of Susan Yox for Lloyds and Rolling Cannoli food trucks on July 19, 2017 from 5:00pm to 7:00pm, and for OG Wood Fired Pizza, and Cruising Crepes food trucks on August 2, 2017 from 4:00pm to 7:00pm at Pawtucket Park.

The resolution was unanimously adopted.

New Business #4 Chief of Police to attend 2017 NYS Chief of Police Annual Training Conference

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

RESOLVED, that the Town Board does hereby approve the request to send Chief of Police, Mark Pacholec to attend the 2017 New York State Association of Chiefs of Police annual training conference, to be held July 23rd through July 27th, and the money is in the budget.

The resolution was unanimously adopted.

New Business #5 Appoint Records Clerk for Grant

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

WHEREAS, the Town of Orchard Park by resolution on January 4, 2017 applied for a LGRMIF grant through the New York State Archives, and

WHEREAS, the Town of Orchard Park was awarded a LGRMIF records management grant by the New York State Archives, and

WHEREAS, the grant is in the amount of \$61,240 and for the period of July 1, 2017 to June 30, 2018, and

WHEREAS, the records management grant allows for the hiring of two full time Records Clerks at a rate of \$20.00 per hour, and

WHEREAS, Amy Glende has worked in the Town Clerk's office and has experience as a Records Management Clerk.

NOW, THEREFORE, be it

RESOLVED, that Amy Glende be appointed full time Records Clerk under the provisions of New York State Archives Grant #0580-18-7033 at the rate of \$20.00 per hour for the period July 1, 2017 through June 30, 2018.

The resolution was unanimously adopted.

New Business #6 Commercial Parking Permit

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

WHEREAS, Joseph DeMarco Jr. has applied for a 2017 Commercial Parking Permit for 4000 California Road, and

WHEREAS, the application has been approved by the Town Code Enforcement Officer and the Town Police Chief, and

WHEREAS, the \$300.00 Commercial Parking Permit fee has been paid.

NOW, THEREFORE, be it

RESOLVED, that the application for 2017 Commercial Parking Permit for 4000 California is granted with the following stipulations:

- The hours of Commercial Parking are from 8:00am to 6:00pm
- Delivery trucks shall not use Jake Brakes
- No School Buses shall be parked
- The Town Code Enforcement Officer shall inspect the property and make sure the ingress and egress is adequate.

The resolution was unanimously adopted.

New Business #7 Sign Agreement w/Village to Utilize Town Compost Site

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

WHEREAS, the parties to this agreement are: The Village of Orchard Park, with offices at S4295 South Buffalo Street Orchard Park, New York, and the Town of Orchard Park, with offices at S4295 South Buffalo Street, Orchard Park, New York; and

WHEREAS, the Town of Orchard Park operates a compost site at 6909 Milestrip Road in the Town of Orchard Park; and

WHEREAS, the Village of Orchard Park wishes to utilize the services of the compost site; and the parties hereby agree as follows:

1. The Village of Orchard Park shall be authorized to deliver to the compost site at 6909 Milestrip Road, Orchard Park, New York, brush and leaves. All materials delivered must be cleaned. No grass will be accepted. The compost manager will make the final determination as to whether any materials may be accepted in the compost site.
2. The Village of Orchard Park shall pay to the Town of Orchard Park, upon execution of this Agreement, the sum of Six Thousand Eight Hundred (\$6,800.00) dollars.
3. This Agreement shall be in effect from June 1, 2017 through May 31, 2018.
4. During the term of this Agreement, all benefits afforded the residents of the Town, shall also be afforded to the residents of the Village, including any special deals on mulch or compost.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the Supervisor to sign an agreement with the Village of Orchard Park to utilize the services of the town's compost site for a fee of \$6,800.00 and the agreement shall be in effect from June 1, 2017 to May 31, 2018.

The resolution was unanimously adopted.

New Business #8 Set Public Hearing for Proposed Local Laws for 2017

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

RESOLVED, that the Town Board is hereby authorized to set a Public Hearing on Wednesday, August 16, 2017 at 7:00PM in the matter of the adoption of proposed following Local Laws:

- LL#2 – Amending Chapter 45 “Building Construction” Article II “Administration and Enforcement”, §45-10, “Building Permits”, I. “Time Limits”
- LL#3 – Amending Chapter 99 “Peace and Good Order” Article II “Unlawful Trespass”
- LL#4 – Chapter 97 Parks & Grounds Article II - Delete §97-25, §97-26 and §97-27
- LL#5 –Chapter 144 “Zoning” Article VI Applications of Building Permits & Certificates of Occupancy
- LL#6 –Chapter 144 “Zoning” Attachment 1 Schedule of zoning fees (C)(3)
- LL#7 –Chapter 144 “Zoning” Article IV “Supplementary Lot Regulations, §144-22 “Yard Regulations” (E) Transition Yard Requirements”.
- LL#8 – Chapter 144 “Zoning” Article V “Supplementary Use Regulation”, §144-29 “Automotive Facilities: Parking, (E)
- LL#9 –Chapter 144 “Zoning”, Article VI “special Uses, §144-44 to add §144-44C(5)
- LL#10 – Chapter 144 “Zoning” Article VI, §144-46C(12)
- LL#11 – Chapter 144 “Zoning” Attachment 11 “Town of Orchard Park Schedule of Use Controls I-1 Industrial”, “Special Exception Uses”
- LL#12 – Chapter 144 “Zoning” Attachment I “Town of Orchard Park Schedule of Use Controls B-2 Commercial, Permitted Principal Uses”
- LL#13 – Chapter 144 “Zoning” Article II “Zoning districts; Regulation” §144-12 “New Era Field” Parking

The resolution was unanimously adopted.

New Business #9 Refer to Planning, Zoning, Conservation Boards

11) 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 refer the following to the Planning Board, Conservation Board, and Architectural Overlay District Committee:

- 4936 Ellicott Road & 4943 Chestnut Ridge Road. Eckl’s Restaurant, located on the west side of Ellicott Road, Zoned B-2, requesting a Building Permit to construct a new two (2) story addition totaling: 2,664-sq.ft. first floor and 1,174 sq.ft. second floor, along with other site improvements. (SBL #173.13-1-7 & 173.13-1-5)

The resolution was unanimously adopted.

BUSINESS FROM THE FLOOR

No one spoke.

ELECTED OFFICIALS & DEPARTMENT HEADS

Supervisor Keem stated that the Town has started the budget process for next year by meeting with the Department Managers and reviewing every line item with them. Next month the Department Managers will meet with the Town Board to review their budgets for next year, and make suggestions and comments. This is the fourth year this Town Board has been together and as a team they have really controlled spending.

Police Chief Pacholec outlined the events for Quaker Days next week.

Highway Superintendent Piasecki reviewed the revised paving schedule.

Town Engineer Bieler said there is an electronic recycling event on August 26, 2017 at Erie Community South from 9:30am to 1:30pm.

12) 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 # 7 following auditing by members of the Town Board and in the funds indicated:

General Fund	\$68,410.52
Public Safety Fund	\$15,299.22
Part Town Fund	\$2,911.94
Risk Retention	-0-
Cemetery Fund	-0-
Highway Fund	\$23,742.13
Special Districts	\$30,298.02
Trust & Agency	\$2,804.56
Capital Fund	-0-

The resolution was unanimously adopted.

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

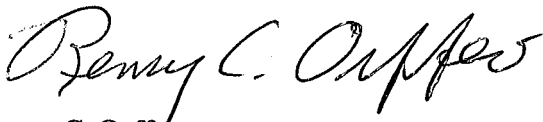
RESOLVED, that the Town Board does receive and file the following communications:

- Buffalo Adult & Teen Challenge to conduct annual Walk-A-Thon fundraiser going door to door to raise funds and inform the public of their services.
- Republic Services – Quarterly Garbage and Recycling Report

The resolution was unanimously adopted.

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

Respectfully Submitted,



Remy C. Orffeo
Town Clerk