

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 July 2017 at 6:45 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 June 21, 2017, Executive Sessions: June 14, 21 & 28, 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.

PUBLIC INFORMATION MEETING

At 6:45 PM (local time) Supervisor Keem and the Mayor of the Village JoAnn Litwin called a joint Public Information Meeting to apply for funding to further develop the trail system located within Yates Park.

Affidavits and Publication of the Legal Notice of the Public Information Meeting were presented, posted on line and filed with the Town Clerk.

Supervisor Keem asked if there was anyone in the audience who would like to speak for or against the proposed local law. There is a sign-up sheet if you are in favor of this. There were 25 people who signed the sheet.

No one came forward to speak in favor or opposition.

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

RESOLVED, that the Public Hearing in the matter of the proposed hearing is hereby closed at 6:53 PM.

The resolution was unanimously adopted.

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

WHEREAS, the Town of Orchard Park and the citizens it serves recognize the value to the community of improving municipal parkland for public use, including Yates Park and,

WHEREAS, specific improvements to Yates Park, including the repair of damaged trails owned by both the Town and Village and also create new trails to allow for a continuous link to both the residential areas and commercial areas of the Town and Village of Orchard Park. The Town and Village of Orchard Park have joined forces to successfully implement this project. The project also includes the addition of other recreational amenities such as park benches and trash receptacles. These are priority enhancements that will draw more residents and visitors to the park;

NOW THEREFORE be it

RESOLVED, that the Town of Orchard Park fully approves and endorses the Town and Village of Orchard Park Yates Park Trail Development Project and affirms public and community support for it, and be it further

RESOLVED, that Town Supervisor of the Town of Orchard Park, Pat Keem is hereby authorized and directed to file a joint application (Town of Orchard Park as official applicant) for funds from the New York State Office of Parks, Recreation and Historic Preservation, Recreational Trails Program (RTP), in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993, in an amount not to exceed \$200,000, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to the Town of Orchard Park. The Town of Orchard Park will be responsible for all grant administration, oversight and reporting required through this application. The Town of Orchard Park affirms that start-up capital and the required match will be provided should an award be made.

The resolution was unanimously adopted.

COMMUNITY CENTER DESIGN PRESENTATION AND VOTE

Councilman Mike Sherry presented slides that highlight the 3 Exterior Architectural Design proposals of the future Orchard Park Community Activities Center. The plan is to break ground in the spring of 2018.

Each of the plans were presented from a few different angles, and the community present at the meeting had the opportunity to fill out a ballot vote. Additionally, the voting for the exterior will be available on line for the next two weeks for the community to vote on. The 3 plans are: 1) Gabled, 2) Contemporary, 3) Prairie.

New Business #1 Local Emergency Management Mutual Aid Assistance

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

WHEREAS, during a "major incident" communities are required to operate for the first 72 hours to manage the incident with the resources that they have. The Town of Orchard Park was fortunate that it was able to manage the impact of the 2014 November snow storm with personnel from the Municipal building, and

WHEREAS, there will come a time that an incident will require additional Emergency Management personnel to assist the Town. Likewise it is important that the Town is able to assist others in their time of need, to assist with their emergency situations and to get their municipalities up and running.

NOW THEREFORE be it

RESOLVED, that the Town Board does hereby authorize the Supervisor to sign the Memorandum of Understanding (MOA) for the Local Emergency Management Mutual Aid Assistance which will formally put in place an agreement to provide and receive assistance when events have inundated local emergency managers. This MOA will officially formalize the process of requesting assistance for additional Emergency Management Personnel to work within our Emergency Operation Center and to reciprocate that assistance when other communities need additional staff.

The resolution was unanimously adopted.

New Business #2 Authorize the Supervisor to Execute 2017 Van Contract

5) 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 authorize the Supervisor to execute the 2017 yearly Van Contract between the Town of Orchard Park and the County of Erie.

The resolution was unanimously adopted.

New Business #3 Authorize the Supervisor to Execute 2017 Senior Nutrition Contract

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

RESOLVED, that the Town Board does hereby authorize the Supervisor to execute the 2017 yearly Senior Nutrition Contract between the Town of Orchard Park and the County of Erie.

The resolution was unanimously adopted.

New Business #4 Appoint Executive Director of Youth Services

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

WHEREAS, with the passing of David Rebmann, the Town of Orchard Park's Executive Director of Youth Services there arises the need to appoint a replacement; and

WHEREAS, in December, 2016 Village Mayor Jo Ann Litwin-Clinton and Town Council Member Michael Sherry were appointed interim co-Executive Directors of the Town of Orchard Park Youth Services; and

WHEREAS, the co-Directors consulted with personnel from Erie County Youth services, including Executive Director Benjamin Hilligas.

NOW THEREFORE be it

RESOLVED, that the Town Board does hereby appoint Michael Sherry as the Executive Director of Orchard Park Youth Services with a term to end December 31, 2017, and be it further

RESOLVED, that no salary is attached to this appointment.

Supervisor Keem Aye
Councilman Majchrzak Aye
Councilmember Sherry Recused

The resolution was dually adopted.

New Business #5 Approve Summer Seasonal Staff for Parks & Grounds

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

RESOLVED, that the Town Board does hereby appoint Matthew Daniels to Seasonal Parks & Grounds effective June 26, 2017 at \$9.70 an hour.

The resolution was unanimously adopted.

New Business #6 Appoint Summer help to Town Clerk's Office

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

RESOLVED, that the Orchard Park Town Board does hereby appoint, for the period of June 26, 2017 to September 30, 2017, the following as part-time summer help in the Town Clerk's office at a rate of \$14.70 per hour: Virginia Lignos, Erin O'Rourke, Grant Merkel, Caitlin O'Rourke, Catherine McHugh.

The resolution was unanimously adopted.

New Business #7 Appoint Seasonal Part Time Recreation Staff

10) 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 appoint to the following staff of the Town of Orchard Park Recreation Department for Summer Part Time, retro-active June 22, 2017.

<u>Name</u>	<u>Rate Position (Title*)</u>
Madelyn Digiore	\$10.50 PT3-C (Att)
Adam Ziccardi	\$15.00 PT6-D (Att)

Note: The above appointment is dependent upon the applicant providing the required certifications.

The resolution was unanimously adopted.

New Business #8 Appoint Full Time Public Safety Dispatchers

11) 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 appoint Courtney A. Honer and Katharine McEvoy, to the position of Public Safety Dispatcher (full time, probationary) effective July 19th and 20th respectively at pay range 0006 step. 1st year, \$17.98 per hour.

The resolution was unanimously adopted.

New Business #9 Refer to Conservation Board

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

RESOLVED, that the Town Board does hereby refer to the Conservation Board for review:

3911 North Buffalo Street, located on the east side of North Buffalo, south of Webster Road, Zoned B-3, Birch Run, Inc., is requesting a "Change-In-Use" Permit to develop a current residential property into a Commercial Use for Office Leasing Space with required parking. (SBL#162.13-1-1.1)

The resolution was unanimously adopted.

BUSINESS FROM THE FLOOR

Joan Aeschbach & Lisa Young spoke about vacant lot at 109 Oakwood Lane (and vacant lot on Big Tree owned by Yellow Brick LLC). There are property stakes and rope line up. The lot looks more like a 'parking lot' than a vacant lot with rope line and property stakes. Is there anything that can be done about moving the ropes and stakes.

Carol McKenica commented on the nice job that the Town of Orchard Park did on the fireworks festivities and the pavilion. Only saw 2 port a potty's available and the lines were long. Green Lake looks great, but the geese dropping are all over the paths.

ELECTED OFFICIALS & DEPARTMENT HEADS

Supervisor Keem, Councilman Majchrzak, Councilman Sherry commented on the 4th of July parade and fireworks. Thanked the Police Department, the Highway Department, Parade Committee and the Village for their efforts.

Councilman Majchrzak, Councilman Sherry, Police Chief Pacholec commented on the lots by the stadium. Unless there is a building code violation, that is not something that the town board deals with. During stadium events, if you notice violations, then call the police department or take pictures of events to back up statements.

Police Chief Pacholec commented that a mountain lion was sighted in the Birdsong area. It also has been sighted on Milestrip Road and Webster Road.

Highway Superintendent Piasecki discussed the work that his crews are working on. Milling work is continuing and then paving will start July 7 – 24th.

BUDGET TRANSFER

13) 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:

Senior Center:

From: A.7610.149 Senior Staff Part Time

To: A.7610.139 Senior Staff Part Time \$ 1,000.00

The resolution was unanimously adopted.

APPROVAL OF BILLS

14) 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 # 13 following auditing by members of the Town Board and in the funds indicated:

General Fund	\$110,665.38
Public Safety Fund	\$8,939.20
Part Town Fund	\$886.01
Risk Retention	\$0
Cemetery Fund	\$0
Highway Fund	\$24,835.02
Special Districts	\$166,666.17
Trust & Agency	\$2,263.06
Capital Fund	\$3,479.00

The resolution was unanimously adopted.

REPORTS

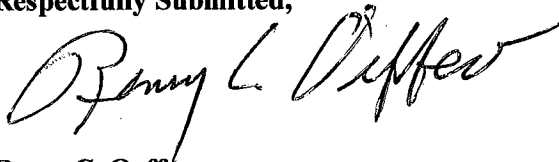
15) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN SHERRY, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN MAJCHRZAK, TO WIT:

RESOLVED, that the Town Board does hereby receive and file the Building Inspector's Report for June 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 7:37 pm (local time).

Respectfully Submitted,



Remy C. Orffeo
Town Clerk