



**TOWN OF
ORCHARD PARK**

7C
MEMORANDUM

S.4295 SOUTH BUFFALO STREET
ORCHARD PARK, NEW YORK 14127
(716) 662-6432, ext. 2202

DATE: August 15, 2019

TO: Town Clerk, Remy Orffeo
Kathy Swarbrick
Building Inspector Steve Bremer

FROM: Rose Messina

SUBJECT: Item(s) for August 21, 2019 - TB Agenda

OLD BUSINESS:

Please set a Public Hearing for Conservation Easement Renewal requests as follows:

1. Patrick & Rose McCarthy, 6900 Ward Road, 15-Acres extend to 29-years, thru 2033 (SBL#198.00-6-21./E).
2. Patrick & Rose McCarthy, V/L Scherff Road, 10-Acres extend to 29-years, thru 2033 (SBL#198.00-6-19.1/E).
3. Geraldine Kozlowski, 6813 Chestnut Ridge Road, 7-Acres extend to 29-years, thru 2033 (SBL#198.00-6-27).

TC

LOCAL LAW FILING

New York State Department of State
162 Washington Avenue, Albany, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Town of Orchard Park

Local Law No. 6 of the Year 2019

A local law of the Town of Orchard Park to over-ride tax levy limit established in General Municipal Law Sec 3-c as follows

Be it enacted by the Town Board of the

Town of Orchard Park as follows:

A local law to override the tax levy limit established in General Municipal Law Sec 3-c:

SECTION 1: Legislative Intent

It is the intent of this local law to allow the Town of Orchard Park to adopt a budget for the fiscal year commencing January 1, 2020 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law Sec 3-c.

SECTION 2: Authority

This local law is adopted pursuant to subdivision 5 of the General Municipal Law Sec 3-c, which expressly authorizes a local government's governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

SECTION 3: Tax Levy Limit Override

The Town Board of the Town of Orchard Park, County of Erie, is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2020 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law Sec 3-c.

Section 4: Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgement shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph,

subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstances, directly involved in the controversy in which such judgment or order shall be rendered.

SECTION 5: Effective Date

This local law shall take effect upon filing in the Office of the Secretary of State.

RESOLUTION

WHEREAS, based on the extensive history of accidents at the intersection of California Road and Duerr Road in the Town of Orchard Park, the Orchard Town Board has determined that the intersection should be designated as a four way stop, and

WHEREAS, the roads in question are controlled by the County of Erie,

NOW, THEREFORE, BE IT RESOLVED that:

- 1) The Town of Orchard Park hereby requests Erie County to designate the California Road/Duerr Road intersection in Orchard Pak a four way stop with all of the appropriate signage including warning signs set out before each of the four stop signs.

RESOLUTION

WHEREAS, the Town of Orchard Park wishes to add an additional Captain's position and an additional Lieutenant's position, and

WHEREAS, the Erie County Department of Personnel requires a formal Town of Orchard Park Board Resolution creating these new positions,

NOW, THEREFORE, BE IT RESOLVED that:

- 1) One additional Lieutenant's position and one additional Captain's position is hereby created for the Orchard Park Police Department.

RESOLUTION

WHEREAS, the Orchard Park Police Department has an opening for a Police Officer on it's staff, and

WHEREAS, upon recommendation of Police Chief E. Joseph Wehrfritz, the Town Board of Orchard Park wishes to appoint John E. Star to the position of Police Officer in the Orchard Park Police Department, Step A, effective September 2, 2019, at the salary of \$72,320.00

NOW, THEREFORE, BE IT RESOLVED that:

- 1) John E. Star is hereby appointed to the position of Police Officer in the Orchard Park Police Department, and
- 2) Mr. Star's start date will be September 2, 2019, and
- 3) Mr. Star's salary will be \$72,320.00, Step A.

RESOLUTION

WHEREAS, the Orchard Park Police Department has an opening for a Detective on it's staff, and

WHEREAS, upon recommendation of Police Chief E. Joseph Wehrfritz, the Town Board of Orchard Park wishes to appoint Police Officer James Mazur to the position of Detective (Probationary) with pay and benefits as set out in the appropriate Collective Bargaining Agreement effective August 24th, 2019,

NOW, THEREFORE, BE IT RESOLVED that:

- 1) Police Officer James Mazur is hereby appointed to the position of Detective (Probationary) with pay and benefits as set out in the appropriate Collective Bargaining Agreement as of the day hereof, and
- 2) This appointment shall take effect at 12:00am on August 24, 2019.

RESOLUTION

WHEREAS, the Town of Orchard Park and the Town of West Seneca intend to refurbish their animal control facilities, and

WHEREAS, the Town of Orchard Park and the Town of West Seneca wish to offer their facilities to each other for a period of time when these renovations will be shutting down their respective animal control facility,

NOW, THEREFORE, BE IT RESOLVED that:

- 1) Supervisor Keem of the Town of Orchard Park is hereby authorized to negotiate and execute an agreement to accommodate this sharing of facilities while each of the Town of Orchard Park and the Town of West Seneca animal control facilities are renovated.

TC

RESOLUTION

WHEREAS, the Town of Orchard Park has an opening on its staff for a Payroll Clerk , and

WHEREAS, the Town of Orchard Park has conducted a search to fill that position, and

WHEREAS, the Town of Orchard Park has determined that Dawn Wahlen meets the necessary qualifications for this position and is an acceptable candidate to fill this position,

NOW, THEREFORE, BE IT RESOLVED that:

- 1) Dawn Wahlen be appointed to the non-union, competitive position of Payroll Clerk for the Town of Orchard Park at the rate of \$23.80/hour with a start date of August 26, 2019.



**TOWN OF ORCHARD PARK
RECREATION DEPARTMENT**

200 North Lake Drive Orchard Park, New York 14127-2609
 (716) 662-6450 Fax: (716) 209-0210
 E-Mail: oprec@orchardparkny.org
 Website: www.orchardparkny.org

8/21/19

To: Town Board
 From: Ed Leak
 Director of Recreation

I respectfully submit the following for appointment to the staff of the Town of Orchard Park Recreation Department fall, winter, spring 2019/ 2020. *Please note many have rate changes from the summer.*

RE: Item 1 (2019 Summer Seasonal part time Staff Appointments Rate Change effective 8/19- 8/31)

| <u>Name</u> | <u>Old Rate</u> | <u>New Rate</u> | <u>Position (Title*)</u> |
|-------------|-----------------|-----------------|--------------------------|
| Sarah Eneix | \$12.50 | \$15.50 | PT7-A (Att) |

RE: Item 2 (2019/2020 fall, winter, spring Seasonal part time Staff Appointments effective 9/1/19)

| <u>Name</u> | <u>Rate</u> | <u>Position (Title*)</u> |
|-------------------|-------------|--------------------------|
| Anna Allman | \$12.50 | PT5-A (Att) |
| Grace Attig | \$12.50 | PT5-A (Att) |
| Emily Bement | \$13.00 | PT5-C (Lg) |
| Molly Bleech | \$12.50 | PT5-A (att) |
| Cynthia Boncaldo | \$12.00 | PT4-D (Att) |
| Cayley Brege | \$12.50 | PT5-A (Att) |
| Samantha Burgio | \$12.00 | PT4-D (Att) |
| Jody Burnard | \$15.00 | PT6-D (Att) |
| Nathaniel Burnard | \$12.50 | PT5-A (Att) |
| Shannon Callaghan | \$13.00 | PT5-C (Lg) |
| Thomas Callaghan | \$13.00 | PT5-C (Lg) |
| Ami Canale | \$12.00 | PT4-D (Att) |
| Ana Canale | \$12.50 | PT5-A (Att) |
| Jessica Carey | \$13.50 | PT5-E (Lg) |
| Marissa Carrig | \$12.50 | PT5-A (Lg) |
| Shannon Clough | \$12.50 | PT5-A (Att) |
| Sarah Conley | \$13.00 | PT5-C (Lg) |
| Kasey Cooley | \$12.00 | PT4-D (Att) |

| | |
|---------------------|---------------------|
| Carly Coppola | \$12.50 PT5-A (Att) |
| Caitlin Cyrek | \$12.00 PT4-D (Att) |
| Landon DeKay | \$12.50 PT5-A (Lg) |
| Andrew Doran | \$12.00 PT4-D (Att) |
| Halle Dueringer | \$13.00 PT5-C (Lg) |
| Claire Dunwoodie | \$12.50 PT5-A (Att) |
| Elizabeth Eberhardt | \$12.00 PT4-D (Att) |
| Sarah Eneix | \$12.50 PT5-A (Att) |
| Isabella Fazio | \$12.00 PT4-D (Att) |
| Madeline Feldman | \$12.50 PT5-A (Att) |
| Jessica Ferguson | \$12.00 PT4-D (Att) |
| Julie Filipski | \$13.00 PT5-C (Lg) |
| Cassie Fowler | \$12.00 PT4-D (Att) |
| Emily Frey | \$12.50 PT5-A (Att) |
| Karlie Gambino | \$13.50 PT5-E (Lg) |
| Mary Genzel | \$13.50 PT5-E (Lg) |
| Sydney Grossman | \$12.50 PT5-A (Lg) |
| Samuel Gura | \$15.00 PT6-D (Lg) |
| Sarah Gura | \$15.00 PT6-D (Lg) |
| Sarah Gutsin | \$12.00 PT4-D (Att) |
| Grace Haier | \$12.00 PT4-D (Att) |
| Brett Hall | \$13.00 PT5-C (Lg) |
| Derek Hall | \$13.00 PT5-C (Lg) |
| Sarah Hanlon | \$12.50 PT5-A (Att) |
| Griffin Harrigan | \$12.00 PT4-D (Att) |
| Susan Hemmingway | \$17.50 PT8-D (Att) |
| Patrick Higgins | \$12.50 PT5-A (Att) |
| David Hoelscher | \$12.50 PT5-A (Lg) |
| Brandon Hoth | \$12.50 PT5-A (Att) |
| Madison Hornung | \$12.50 PT5-A (Att) |
| Jessica Humby | \$12.50 PT5-A (Lg) |
| Emily Izydorczak | \$12.50 PT5-A (Att) |
| Emma Johnson | \$12.50 PT5-A (Lg) |
| Erin Joyce | \$12.50 PT5-A (Att) |
| Molly Joyce | \$12.50 PT5-A (Att) |
| Michael Kane | \$13.00 PT5-C (Lg) |
| Evan Kasper | \$12.00 PT4-D (Att) |
| Jack Kinsman | \$12.00 PT4-D (Att) |
| Maria Kubiak | \$13.00 PT5-C (Lg) |
| William Linton | \$12.50 PT5-A (Att) |
| Jordyn Malinowski | \$12.50 PT5-A (Att) |
| Katherine Manley | \$12.00 PT4-D (Att) |
| Janet Marks | \$16.00 PT7-C (Att) |
| Wayne Martin | \$15.00 PT6-D (Att) |
| Madison McCafferty | \$12.00 PT4-D (Att) |
| Eve McMullen | \$12.50 PT4-D (Att) |

| | |
|-----------------------|---------------------|
| Mason McMullen | \$15.00 PT6-D (Lg) |
| Tanner McMullen | \$12.50 PT5-A (Att) |
| Diana Menz | \$12.00 PT4-D (Att) |
| Jarrold Merkel | \$12.00 PT4-D (Att) |
| Richard Merlino | \$12.50 PT5-A (Att) |
| Nathan Messina | \$12.50 PT5-A (Lg) |
| Allie Metzger | \$12.50 PT5-A (Att) |
| Emily Mielcarek | \$12.50 PT5-A (Att) |
| Michael Mielcarek | \$12.50 PT5-A (Att) |
| David Morris | \$12.00 PT4-D (Att) |
| Jake Morris | \$12.00 PT4-D (Att) |
| Ava Mrozik | \$12.50 PT5-A (Att) |
| Madeline Musterait | \$12.50 PT5-A (Lg) |
| Richard Naylor | \$12.00 PT4-D (Att) |
| Nicole Newton | \$12.50 PT5-A (Att) |
| Joshua Nowak | \$12.50 PT5-A (Lg) |
| Julia O'Connor | \$12.00 PT4-D (Att) |
| Claire Otis | \$12.50 PT5-A (Att) |
| Emily Penn | \$12.50 PT5-A (Lg) |
| Katherine Powers | \$12.50 PT5-A (Att) |
| Maxim Reilly | \$15.00 PT6-D (Lg) |
| Rachael Reimondo | \$15.00 PT6-D (Att) |
| Jordan Reiner | \$12.50 PT5-A (Att) |
| Alex Reiser | \$12.00 PT4-D (Att) |
| Autumn Roza | \$12.50 PT5-A (Att) |
| Eric Ruhland | \$12.50 PT5-A (Lg) |
| Kimberly Schmelzinger | \$15.00 PT6-D (Att) |
| Georgia Sherer | \$12.00 PT4-D (Att) |
| Benjamin Shoop | \$12.00 PT4-D (Att) |
| Courtney Schmidt | \$12.50 PT5-A (Att) |
| Grace Scott | \$13.00 PT5-C (Lg) |
| Jacob Simonsen | \$13.00 PT5-C (Lg) |
| Gace Sippel | \$12.50 PT5-A (Att) |
| Sebastian Stafford | \$12.50 PT5-A (Att) |
| Delanie Suto | \$12.00 PT4-D (Att) |
| Daniel Vail | \$13.00 PT5-C (Lg) |
| Alex Vendura | \$13.00 PT5-C (Lg) |
| Madeline Ventura | \$13.00 PT5-C (Lg) |
| Kathryn Visco | \$12.50 PT5-A (Att) |
| Brendan Wenger | \$13.00 PT5-C (Lg) |
| Grace Wiest | \$12.50 PT5-A (Att) |
| Darcy Zappia | \$12.50 PT5-A (Att) |
| Kyla Zybczynski | \$12.50 PT5-A (Lg) |

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

*Att=Attendant

*LG= Lifeguard

Recreation Director: Ed Leak

Assistant Recreation Director: Kristin Santillo

Recreation Assistant: Jenni Carter



TOWN OF ORCHARD PARK

ENGINEERING DEPARTMENT

S 4295 South Buffalo Street Orchard Park, New York 14127-2609

Phone: (716) 662-6425
Fax: (716) 662-6488
Email: openg@orchardparkny.org

TOWN ENGINEER
WAYNE L. BIELER, P.E.

August 19, 2019

Honorable Town Board
Town of Orchard Park
4295 South Buffalo Street
Orchard Park, NY 14127

**Re: Consultant Agreement
Brush Mountain Community Activity Center
Prentice - Interior Furnishing and Equipment Planning**

Dear Board Members:

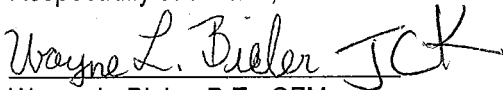
As directed by the Town Board, the Engineering Department has solicited a proposal from Prentice Office Environments to provide design and planning services for the Community Activity Center.

The attached proposal outlines the detailed scope of work and fee schedule proposed. Professional services are to include meetings with the Recreation and Senior groups, special planning, conceptual layouts, as well as furniture finish and fabric selections. This proposal does not include ordering or supplying any of the furniture or equipment that will be required for the building.

There is presently funding allocated under Capital Projects AB004 Community Activity Center and additional funding is being allocated into appropriate accounts for this per Drescher & Malecki.

I, therefore, recommend that you authorize the Supervisor to sign an agreement with Prentice Office Environments, 472 Franklin Street, Buffalo, NY 14202, to provide professional services for the Brush Mountain Community Activity Center interior furnishing and equipment planning in an amount not to exceed \$13,622.50.

Respectfully submitted,



Wayne L. Bieler, P.E., CFM
Town Engineer

Attachment

cc: Town Clerk
Wendel
T. Malecki, Drescher & Malecki
Town Attorney
File #15.007

Resolution to Authorize Retroactive Wage Increase

WHEREAS, six non-union members of the highway/compost department received the following increases in salary:

- 1.5 percent for the period January 1, 2016 to December 31, 2016,
- 1.5 percent for the period January 1, 2017 to December 31, 2017,
- 1.5 percent for the period January 1, 2018 to December 31, 2018,
- 2.0 percent for the period January 1, 2019 to December 31, 2019, and

WHEREAS, the Civil Service Employees Association, Local 1000, Town of Orchard Park Blue Collar Unit and the Town of Orchard Park resolved to increase employee wages by the following:

- 2.5 percent for the period of January 1, 2016 to December 31, 2016,
- 2.5 percent for the period of January 1, 2017 to December 31, 2017,
- 2.0 percent for the period of January 1, 2018 to December 31, 2018,
- 2.5 percent for the period of January 1, 2019 to December 31, 2019, and

WHEREAS, the Town Board desires the non-union employees within the highway/compost department listed below to receive an increase equal to that of the Civil Service Employees Association, Local 1000, Town of Orchard Park Blue Collar Unit,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board authorizes to increase the following employees' wages: Ernie Matthews, Mike Carey, Mike Delia, Jeffrey Smith and Andrew Slotman, as follows:

- 1.0 percent for the period January 1, 2016 to December 31, 2016 effective January 1, 2016,
- 1.0 percent for the period January 1, 2017 to December 31, 2017 effective January 1, 2017,
- 0.5 percent for the period January 1, 2018 to December 31, 2018 effective January 1, 2018,
- 0.5 percent for the period January 1, 2019 to December 31, 2019 effective January 1, 2019,

and to increase the following employees' wages: James Miller, as follows:

- 0.5 percent for the period January 1, 2018 to December 31, 2018 effective October 22, 2018,
- 0.5 percent for the period January 1, 2019 to December 31, 2019 effective January 1, 2019.

**Resolution for Budget Amendment –
Recreation Department**

WHEREAS, the Town has incurred additional costs for recreation personnel, and

WHEREAS, the Town has received additional revenues to offset the costs that were not included in the 2019 budget. Actual revenues as of July 31, 2018 were approximately \$662,000 as compared to budgeted revenues of \$525,000.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorize the amending of the 2019 adopted budget to authorize additional appropriations and estimated revenues in the amount of \$50,000:

Increase Appropriations:

| | | |
|--------------|--|----------|
| A07020 50104 | Recreation Salaries – Nonunion Hourly PT | \$50,000 |
|--------------|--|----------|

Increase Estimated Revenues:

| | | |
|--------------|-----------------------------------|----------|
| A00000 42001 | General Fund Recreational Charges | \$50,000 |
|--------------|-----------------------------------|----------|

7c



TOWN OF ORCHARD PARK

S.4295 SOUTH BUFFALO STREET
ORCHARD PARK, NEW YORK

MEMORANDUM

FROM: Richard J. Mrugalski, Emergency Manager

DATE: July 29, 2019

TO: Patrick J. Keem DDS, Town Supervisor

SUBJECT: PER-219 A Prepared Jurisdiction: Integrated Response to CBRNE Incident

I hereby request authorization for Jordan Kellerman and Richard Mrugalski to attend a two and one half day training for A Prepared Jurisdiction: Integrated Response to Chemical, Biological, Radiological, Nuclear, or Explosive (CBRNE) Incident to be held on August 27-29, 2019 at Erie County Fire Training Academy in Cheektowaga.

Attached is an outline of the program. There is no cost for this training

cc: Town Clerk
Town Engineer
Jordan Kellerman
File



MEMORANDUM

DATE: August 19, 2019
TO: Supervisor Patrick Keem & Town Board
FROM: Tricia Jurek (Accounting)
RE: Budget Transfer Request for 2019

Please make the following Budget Transfer:

\$170.00 – From: A1110 50200 – Justice Office Equipment
– To: A1110 50419 – Justice Other Expenses

Cc: Cindy Jondle
Remy Orffeo
Nichole Ruf