

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 6th day of November 2019 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
	Frederick Piasecki, Jr.	Highway Superintendent
	E. Joseph Wehrfritz	Chief of Police
	Absent Steve Bremer	Building Inspector

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 Meeting Minutes: October 16, 2019 Special Session: October 30, 2019 & Executive Sessions: October 16 & 23, 2019 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 HEARING

Preliminary Ad Valorem 2020 Budget and Benefit Basis Special District Budget

At 6:00 PM (local time) Supervisor Keem called for the Public Hearing to hear all interested parties regarding proposed Preliminary Ad Valorem 2020 Budget.

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

Supervisor Keem spoke of the crafting of the 2020 Budget.

Dave Schuster spoke in opposition of the budget stating the C.A.C. was ill-timed, ill-conceived and ill-planned.

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

RESOLVED, that the Public Hearing in the matter of the preliminary Ad Valorem 2020 Budget is hereby closed at 6:10 PM.

The resolution was unanimously adopted.

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

WHEREAS, following due and timely notice, a public hearing relating to the matter of the Preliminary Ad Valorem 2020 Budget was conducted on November 6, 2019, at which time all interested parties were given an opportunity to speak.

NOW, THEREFORE, be it

RESOLVED, that the Town Board is hereby authorized to adopt the Ad Valorem 2020 Budget which provides as follows:

WHEREAS, officers and employees in charge of various administrative units of the government of the Town of Orchard Park have submitted estimates of revenues and expenditures for the fiscal year ending December 31, 2020, and

WHEREAS, the Supervisor, as the Town's Budget Officer, has caused a tentative ad valorem budget to be prepared, and the Town Clerk has presented such budget to this Town Board, and

WHEREAS, the Town Board has met and considered the preliminary budget for the year ending December 31, 2020, and a public meeting was conducted on November 6, 2019 as required by Section 108 of Town Law,

NOW, THEREFORE, BE IT

RESOLVED, that the preliminary budget as changed, altered and revised and as hereinafter set forth, is hereby adopted as the annual ad valorem budget of the Town of Orchard Park for the fiscal year ending December 31, 2020.

Amendments to the Preliminary Ad Valorem Budget

Fund, Department & Description	Budget Code	2020 Original Proposed	Added	Deleted	2020 Adjusted Total
General Fund:					
Appropriations :					
Law					
<i>Contractual Expenses</i>					
Outside Legal Services	A.01420.50552	\$ 150,000	\$-	\$ 50,000	\$ 100,000
Community Activity Center					
<i>Contractual Expenses</i>					
Supplies	A.07180.50400	\$ 25,000	\$ -	\$ 7,000	\$ 18,000
Electricity	A.07180.50421	\$ 250,000	\$ -	\$ 20,728	\$ 229,272
Contracted Services	A.07180.50479	\$ 80,000		\$ 15,000	\$65,000
Employee Benefits					
Hospital & Medical Insurance	A.09060.50860	\$930,000		\$ 135,000	\$795,000
Estimated Revenues and Fund Balance:					
Tax Items					
<i>Non-Property Tax Items</i>					
Non-Property Tax Distribution by County	A.00000.41120	\$ (4,471,272)	\$ -	\$ 244,455	\$ (4,715,727)
Departmental Income					
<i>General Government Support</i>					
Commercial Inspection Fees	A.00000.41540	\$ -	\$ -	\$ 166,500	\$ (166,500)
Community Activity Fees	A.00000.41040	\$ -	\$ -	\$ 125,000	\$ (125,000)

Tax Levy	A.00000.41001	\$ (2,528,841)	\$ 763,683	\$ -	\$ (1,765,158)
Public Safety Fund:					
Appropriations:					
Employee Benefits					
State Retirement	PS.9010.50810	\$ 110,132	\$ 207	\$ -	\$ 110,339
Hospital & Medical Insurance	PS.9060.50860	\$ 900,000	\$ -	\$ 130,000	\$ 770,000
Estimated Revenues and Fund Balance:					
Tax Levy	PS.0000.41001	\$ (6,137,492)	\$ 129,793	\$ -	\$ (6,007,699)
General Fund - Town Outside Village:					
Appropriations:					
Safety Inspection					
<i>Equipment</i>					
Vehicle	B.03620.50200	\$30,000	\$ -	\$ 30,000	\$ -
Employee Benefits					
State Retirement	B.09010.50810	\$58,908	\$ 111	\$ -	\$59,019
Estimated Revenues and Fund Balance:					
Tax Items					
Non-Property Tax Items					
Non-Property Tax Distribution by County	B.00000.41120	\$(328,728)	\$ 244,344	\$ -	\$(84,384)
Departmental Income					
Building Fees and Licenses	B.00000.41563	\$ -	\$ -	\$214,455	\$(214,455)
Highway Fund:					
Appropriations:					
General Re pairs					
<i>Personal Services</i>					
Laborers	DB.5110.50105	\$973,424	\$ -	\$67,000	906,424
Snow Removal and Service for Other Governments					
<i>Personal Services</i>					
Laborers	DB.5142.50400	\$424,700	\$ -	\$33,000	391,700
Employee Benefits					
State Retirement	DB.9010.50810	\$ 223,137	\$ -	\$ 19,580	\$ 203,557
Hospital and Medical Insurance	DB.9060.50860	\$ 450,000	\$ -	\$ 73,000	\$ 377,000
Estimated Revenues and Fund Balance:					
Tax Levy	DB.0000.41001	\$ (4,475,601)	\$ 192,580	\$ -	\$ (4,283,021)

Supervisor Keem Aye
 Councilmember Sherry Nay
 Councilmember Majchrzak Aye

The resolution was duly adopted.

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

Benefit Basis Budgets (Special Districts)

WHEREAS, the Supervisor, as the Town's Budget Officer, has caused a tentative benefit basis budget to be prepared and filed with the Town Clerk's Office, as provided by law, and

WHEREAS, the Town Board has met and considered the preliminary budget for the year ending December 31, 2020, and a public meeting was conducted on November 6, 2019 as required by Section 108 of Town Law,

NOW, THEREFORE, BE IT

RESOLVED, that the preliminary benefit basis budget as changed, altered and revised and as hereinafter set forth, is hereby adopted as the annual benefit basis budget of the Town of Orchard Park for the fiscal year ending December 31, 2020.

TOWN OF ORCHARD PARK, NEW YORK
Amendments to the Preliminary Benefit Basis Budget

Fund, Department & Description	Budget Code	2020 Original Proposed	Added	Deleted	2020 Adjusted Total
Consolidated Water & Sewer Operations					
Appropriations:					
Employee Benefits					
State Retirement	WS.9010.50810	63,574		6,375	57,199
Social Security	WS.9030.50830	25,046		2,325	22,721
Medicare	WS.9090.50890	5,857		543	5,314
Personal Services					
Crew Chief & Laborers	WS.8346.50105	373,964		37,500	336,464
Estimated Revenues and Fund Balances:					
Inter-district Charges		(1,158,599)	46,743	-	(1,111,856)
Sewer Districts:					
Sewer District No. 2					
Appropriations:					
Allocated Cost of Operations	G.002008.50520	1,271		49	1,222
Estimated Revenue & Fund Balance:					
Fund Balance		(4,500)	1,500		(3,000)
Tax Levy		(21,737)		1,451	(23,188)
Sewer District No. 3					
Appropriations:					
Allocated Cost of Operations	G.003008.50520	2,240		85	2,155
Estimated Revenue & Fund Balance:					
Fund Balance		(10,000)	2,000		(8,000)
Tax Levy		(73,863)		1,915	(75,778)
Sewer District No. 4					
Appropriations:					
Allocated Cost of Operations	G.004008.50520	1,567		60	1,507
Estimated Revenue & Fund Balance:					
Fund Balance				500	(500)
Tax Levy		(13,839)	560		(13,279)
Sewer District No. 5					
Appropriations:					
Allocated Cost of Operations	G.005008.50520	1,129		43	1,086
Estimated Revenue & Fund Balance:					

Fund Balance		(1,700)		800	(2,500)
Tax Levy		(1,804)	843		(961)
Sewer District No. 6					
Appropriations:					
Allocated Cost of Operations	G.006008.50520	362		14	348
Estimated Revenue & Fund Balance:					
Tax Levy		(4,275)	14		(4,261)
Sewer District No. 7					
Appropriations:					
Allocated Cost of Operations	G.007008.50520	1,427		54	1,373
Estimated Revenue & Fund Balance:					
Tax Levy		(14,372)	54		(14,318)
Sewer District No. 8					
Appropriations:					
Wet Weather Flow	G.008008.50426		2,500		2,500
Allocated Cost of Operations	G.008008.50520	7,735		294	7,441
Estimated Revenue & Fund Balance:					
Fund Balance		(8,500)	4,000		(4,500)
Tax Levy		(91,504)		6,206	(97,710)
Sewer District No. 9					
Appropriations:					
Allocated Cost of Operations	G.009008.50520	1,565		60	1,505
Estimated Revenue & Fund Balance:					
Fund Balance		(400)		600	(1,000)
Tax Levy		(23,885)	660		(23,225)
Sewer District No. 10					
Appropriations:					
Allocated Cost of Operations	G.010008.50520	540		20	520
Estimated Revenue & Fund Balance:					
Tax Levy		(6,450)	20		(6,430)
Sewer District No. 11					
Appropriations:					
Allocated Cost of Operations	G.011008.50520	2,313		88	2,225
Estimated Revenue & Fund Balance:					
Fund Balance		(3,500)	1,250		(2,250)
Tax Levy		(26,556)		1,162	(27,718)
Sewer District No. 11 Ext. 1					
Appropriations:					
Allocated Cost of Operations	G.011018.50520	11,709		445	11,264
Estimated Revenue & Fund Balance:					
Tax Levy		(110,346)	445		(109,901)
Sewer District No. 12					
Appropriations:					
Allocated Cost of Operations	G.012008.50520	2,476		95	2,381
Estimated Revenue & Fund Balance:					

Tax Levy		(21,285)	95	(21,190)
Sewer District No. 13				
Appropriations:				
Allocated Cost of Operations	G.013008.50520	1,637	62	1,575
Estimated Revenue & Fund Balance:				
Tax Levy		(252)	62	(190)
Sewer District No. 13 Ext. 1				
Appropriations:				
Allocated Cost of Operations	G.013018.50520	118	5	113
Estimated Revenue & Fund Balance:				
Tax Levy		(18)	5	(13)
Sewer District No. 13 Ext. 2				
Appropriations:				
Allocated Cost of Operations	G.013028.50520	242	9	233
Estimated Revenue & Fund Balance:				
Tax Levy		(2,009)	9	(2,000)
Sewer District No. 13 Ext. 3				
Appropriations:				
Allocated Cost of Operations	G.013038.50520	3,047	115	2,932
Estimated Revenue & Fund Balance:				
Fund Balance		750	-	865
Tax Levy		(19,412)	980	(18,432)
Sewer District No. 14				
Appropriations:				
Allocated Cost of Operations	G.014008.50520	17	1	16
Estimated Revenue & Fund Balance:				
Tax Levy		(6,217)	1	(6,216)
Sewer District No. 15				
Appropriations:				
Allocated Cost of Operations	G.015008.50520	1,021	39	982
Estimated Revenue & Fund Balance:				
Fund Balance		(1,900)	1,500	(3,400)
Tax Levy		(1,996)	1,539	(457)
Sewer District No. 16				
Appropriations:				
Allocated Cost of Operations	G.016008.50520	2,075	79	1,996
Estimated Revenue & Fund Balance:				
Deficit Reduction		4,500	4,500	
Tax Levy		(40,575)	4,579	(35,996)
Sewer District No. 17				
Appropriations:				
Allocated Cost of Operations	G.017008.50520	139	5	134
Estimated Revenue & Fund Balance:				
Fund Balance		(750)	2,000	(2,750)
Tax Levy		(6,389)	2,005	(4,384)

Sewer District No. 18

Appropriations:

Allocated Cost of Operations	G.018008.50520	515,891		19,607	496,284
Charges- Various	G.01800.42124	(6,253)		500	(6,753)

Estimated Revenue & Fund Balance:

Fund Balance		(450,000)	5,400		(444,600)
Tax Levy		(474,900)	14,707		(460,193)

Sewer District No. 19

Appropriations:

Allocated Cost of Operations	G.019008.50520	7,566		288	7,278
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Estimated Revenue & Fund Balance:

Tax Levy		(10,066)	288		(9,778)
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Sewer District No. 20

Appropriations:

Allocated Cost of Operations	G.020008.50520	6,858		261	6,597
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Estimated Revenue & Fund Balance:

Fund Balance		(71)	-	8,635	(8,706)
Tax Levy		(50,656)	8,896	-	(41,760)

Water District:

Water District No. 1

Appropriations:

Allocated Cost of Operations	FX.01008.50520	10,547		414	10,133
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Estimated Revenue & Fund Balance:

Fund Balance		(2,500)	-	1,058	(3,558)
Tax Levy		(26,071)	1,472		(24,599)

Water District No. 2

Appropriations:

Allocated Cost of Operations	FX.02008.50520	5,568		218	5,350
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Estimated Revenue & Fund Balance:

Tax Levy		(12,922)	218		(12,704)
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Water District No. 3

Appropriations:

Allocated Cost of Operations	FX.03008.50520	4,153		163	3,990
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Estimated Revenue & Fund Balance:

Tax Levy		(10,316)	163		(10,153)
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Water District No. 3 Ext. 1

Appropriations:

Allocated Cost of Operations	FX03018.50520	905		35	870
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Estimated Revenue & Fund Balance:

Tax Levy		(1,655)	35		(1,620)
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Water District No. 3 Ext. 2

Appropriations:

Allocated Cost of Operations	FX.03028.50520	194		8	186
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Estimated Revenue & Fund Balance:

Tax Levy		(483)	8		(475)
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Water District No. 3 Ext. 3

Appropriations:				
Allocated Cost of Operations	FX.03038.50520	286	11	275
Estimated Revenue & Fund Balance:				
Tax Levy		(546)	11	(535)
Water District No. 4				
Appropriations:				
Allocated Cost of Operations	FX.04008.50520	32,274	1,266	31,008
Estimated Revenue & Fund Balance:				
Tax Levy		(60,886)	1,266	(59,620)
Water District No. 4 Ext. 1				
Appropriations:				
Allocated Cost of Operations	FX.04018.50520	17,257	677	16,580
Estimated Revenue & Fund Balance:				
Tax Levy		(30,995)	677	(30,318)
Water District No. 6				
Appropriations:				
Allocated Cost of Operations	FX.06008.50520	18,271	717	17,554
Estimated Revenue & Fund Balance:				
Tax Levy		(43,766)	717	(43,049)
Water District No. 6 Ext. 2				
Appropriations:				
Allocated Cost of Operations	FX.06028.50520	260	10	250
Estimated Revenue & Fund Balance:				
Fund Balance		(550)	150	(400)
Tax Levy		(447)	140	(587)
Water District No. 6 Ext. 3				
Appropriations:				
Allocated Cost of Operations	FX.06038.50520	2,170	85	2,085
Estimated Revenue & Fund Balance:				
Fund Balance		(2,000)	1,000	(1,000)
Tax Levy		(3,544)	915	(4,459)
Water District No. 6 Ext. 4				
Appropriations:				
Allocated Cost of Operations	FX.06048.50520	1,995	79	1,916
Estimated Revenue & Fund Balance:				
Fund Balance		(2,850)	350	(2,500)
Tax Levy		(2,760)	271	(3,031)
Water District No. 6 Ext. 5				
Appropriations:				
Allocated Cost of Operations	FX.06058.50520	1,546	60	1,486
Estimated Revenue & Fund Balance:				
Tax Levy		(2,795)	60	(2,735)
Water District No. 7				
Appropriations:				
Allocated Cost of Operations	FX.07008.50520	980	38	942

Estimated Revenue & Fund Balance:

Fund Balance	(480)	280	-	(200)
Tax Levy	(1,779)	-	242	(2,021)

Water District No. 8**Appropriations:**

Allocated Cost of Operations	FX08008.50520	30,792	1,208	29,584
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Estimated Revenue & Fund Balance:

Tax Levy	(56,006)	1,208		(54,798)
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Water District No. 8 Ext. 1**Appropriations:**

Allocated Cost of Operations	FX 08018.50520	1,665	65	1,600
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Estimated Revenue & Fund Balance:

Tax Levy	(3,238)	65		(3,173)
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Water District No. 8 Ext. 2**Appropriations:**

Allocated Cost of Operations	FX08028.50520	4,100	160	3,940
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Estimated Revenue & Fund Balance:

Tax Levy	(6,799)	160		(6,639)
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Water District No. 8 Ext. 3**Appropriations:**

Allocated Cost of Operations	FX08038.50520	347	14	333
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Estimated Revenue & Fund Balance:

Fund Balance	(773)	23		(750)
Tax Levy	(150)		9	(159)

Water District No. 8 Ext. 4**Appropriations:**

Allocated Cost of Operations	FX 08048.50520	2,213	87	2,126
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Estimated Revenue & Fund Balance:

Deficit Reduction	500		500	
Tax Levy	(4,779)	587		(4,192)

Water District No. 9**Appropriations:**

Allocated Cost of Operations	FX 09008.50520	9,694	380	9,314
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Estimated Revenue & Fund Balance:

Tax Levy	(15,112)	380		(14,732)
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Water District No. 9 Ext. 1**Appropriations:**

Allocated Cost of Operations	FX09018.50520	1,895	74	1,821
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Estimated Revenue & Fund Balance:

Fund Balance	(1,650)	650	-	(1,000)
Tax Levy	(3,101)		576	(3,677)

Water District No. 9 Ext. 2**Appropriations:**

Allocated Cost of Operations	FX 09028.50520	4,456	175	4,281
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Estimated Revenue & Fund Balance:

Tax Levy	(8,868)	175		(8,693)
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Water District No. 9 Ext. 3

Appropriations:

Allocated Cost of Operations	FX.09038.50520	236	9	227
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Estimated Revenue & Fund Balance:

Tax Levy		(424)	9	(415)
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Water District No. 9 Ext. 4

Appropriations:

Allocated Cost of Operations	FX.09048.50520	7,802	306	7,496
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Estimated Revenue & Fund Balance:

Fund Balance		(1,700)	1,200	-	(500)
Tax Levy		(14,644)		894	(15,538)

Water District No. 10

Appropriations:

Allocated Cost of Operations	FX.10008.50520	8,008	314	7,694
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Estimated Revenue & Fund Balance:

Fund Balance		(1,600)	1,100		(500)
Tax Levy		(17,104)		786	(17,890)

Water District No. 11

Appropriations:

Allocated Cost of Operations	FX.11008.50520	3,464	136	3,328
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Estimated Revenue & Fund Balance:

Fund Balance		(2,000)	200		(1,800)
Tax Levy		(7,287)		64	(7,351)

Water District No. 12

Appropriations:

Allocated Cost of Operations	FX.12008.50520	2,175	85	2,090
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Estimated Revenue & Fund Balance:

Fund Balance				450	(450)
Tax Levy		(5,974)	535		(5,439)

Water District No. 13

Appropriations:

Allocated Cost of Operations	FX.13008.50520	3,056	120	2,936
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Estimated Revenue & Fund Balance:

Fund Balance		(650)	150		(500)
Tax Levy		(6,535)		30	(6,565)

Water District No. 13 Ext. 1

Appropriations:

Allocated Cost of Operations	FX.13018.50520	11,099	435	10,664
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Estimated Revenue & Fund Balance:

Fund Balance		(2,000)	1,250	-	(750)
Tax Levy		(22,431)		815	(23,246)

Water District No. 14

Appropriations:

Allocated Cost of Operations	FX.14008.50520	1,811	71	1,740
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Estimated Revenue & Fund Balance:

Tax Levy		(3,871)	71		(3,800)
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Water District No. 15**Appropriations:**

Allocated Cost of Operations	FX.15008.50520	165,378		6,489	158,889
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Estimated Revenue & Fund Balance:

Fund Balance		(30,000)	18,500	-	(11,500)
Tax Levy		(337,652)		12,011	(349,663)

Water District No. 17**Appropriations:**

Allocated Cost of Operations	FX 17008.50520	157,838		6,194	151,644
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Estimated Revenue & Fund Balance:

Fund Balance		(5,000)		25,000	(30,000)
Tax Levy		(427,920)	31,194	-	(396,726)

Water District No. 17 Ext. 1**Appropriations:**

Allocated Cost of Operations	FX 17018.50520	5,050		198	4,852
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Estimated Revenue & Fund Balance:

Tax Levy		(9,835)	198		(9,637)
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Water District No. 17 Ext. 2**Appropriations:**

Allocated Cost of Operations	FX.17028. 50520	8,091		317	7,774
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Estimated Revenue & Fund Balance:

Fund Balance		(3,500)	1,250	-	(2,250)
Tax Levy		(19,106)		933	(20,039)

Water District No. 17 Ext. 3**Appropriations:**

Allocated Cost of Operations	FX 17038.50520	568		23	545
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Estimated Revenue & Fund Balance:

Fund Balance				1,250	(1,250)
Tax Levy		(3,390)	1,273		(2,117)

Water District No. 18**Appropriations:**

Allocated Cost of Operations	FX 18008.50520	1,400		55	1,345
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Estimated Revenue & Fund Balance:

Fund Balance				300	(300)
Tax Levy		(3,363)	355		(3,008)

Water District No. 19**Appropriations:**

Allocated Cost of Operations	FX.19008.50520	12,675		498	12,177
Charge to Extension (19 x 1)	FX.1900.42806	(4,520)	4,520		

Estimated Revenue & Fund Balance:

Tax Levy		(20,855)		4,022	(24,877)
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Water District No. 19 Ext. 1**Appropriations:**

Charge to Base District (To W.D. #19)	FX.19018.50526	4,520	-	4,520	-
Allocated Cost of Operations	FX.19018.50520	-	5,688		5,688

Estimated Revenue & Fund Balance:

Deficit Reduction			2,500	-	2,500
Tax Levy	(10,795)		-	3,668	(14,463)

Water District No. 20

Appropriations:

Allocated Cost of Operations	FX.20008.50520	734	-	29	705
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Estimated Revenue & Fund Balance:

Fund Balance	(1,410)			40	(1,450)
Tax Levy	(757)		69		(688)

Water District No. 21

Appropriations:

Allocated Cost of Operations	FX.21008.50520	284		11	273
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Estimated Revenue & Fund Balance:

Fund Balance	(845)			5	(850)
Tax Levy	(845)		16		(829)

The resolution was unanimously adopted.

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

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

The resolution was unanimously adopted.

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

RESOLVED, the meeting was suspended at 6:13 PM.

The resolution was unanimously adopted.

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

RESOLVED, the meeting was reopened at 7:02 PM.

The resolution was unanimously adopted.

PUBLIC HEARING

Conservation Easements for 5425 Chestnut Ridge Road (6020 Seufert Road was cancelled at the request of the petitioner)

At 7:02 PM (local time) Supervisor Keem called for the Public Hearing to hear all interested parties regarding the Conservation Easement for 5425 Chestnut Ridge Road.

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

Supervisor Keem asked if there was anyone interested in speaking or making a comment. No one came forward.

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

RESOLVED, the Public Hearing in the matter of the Conservation Easement for 5425 Chestnut Ridge Road is hereby closed at 7:05 PM.

The resolution was unanimously adopted.

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

RESOLVED, the Conservation Easement is approved for 5425 Chestnut Ridge Road.

The resolution was unanimously adopted.

PUBLIC COMMENT ON OLD BUSINESS

Dave Schuster came forward and inquired about Change Orders #5, 9, 10 & 13.

Old Business #1 Approve the renewal of the CodeRed Service Agreement

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

WHEREAS, the current CodeRed five year contract will expire on January 1, 2020. The current agreement contains a clause that enables the Town to renew the agreement for the same price, with the same terms and conditions, and

WHEREAS, The Town and Village have used the CodeRed messaging system since 2014, sending out 52 messages. CodeRed has been used for notification of State of Emergency's, road closures due to weather events (windstorms, tornados), Bills games, festivals, locating missing persons and fugitives, notify residents of changes in garbage pickup, meetings at the Municipal Center and the Community Activity Center.

NOW, THEREFORE, be it

RESOLVED, that the Town Board authorizes the Supervisor to sign the Renewal CodeRed Service Agreement for the period of January 1, 2020 through December 31, 2024 for annual installments of \$16,245.00.

The resolution was unanimously adopted

Old Business #2 Approve 1-Year Extension for Holland Lane Excavation, Removal, and Storage of Materials Permit #2018-03

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

WHEREAS, we have received from Webster Block, LLC, 295 Main Street, Suite 210, Buffalo, New York, 14203, a request to renew their application for Excavation, Removal, and Storage of Materials to

fill (approximately 25,000 cubic yards of soil) the lot at the end of Holland Lane to construct future commercial and residential development at the same location, and

WHEREAS, the request is acceptable per Town code. All necessary insurances have been updated and are acceptable, and the required bonds are still in place.

NOW, THEREFORE, be it

RESOLVED, the Town Board approves the 1-year extension of the Excavation, Removal, and Storage of Materials Permit #2018-03 to fill the lot at the end of Holland Lane to facilitate future commercial and residential development per the recommendation of the Town Engineer.

The resolution was unanimously adopted.

Old Business #3 Approve 1-Year Extension for Woodhaven Excavation, Removal, and Storage of Material Permit # 2016-02

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

WHEREAS, we have received from Zoladz Construction Co., Inc. of 13600 Railroad Street, Alden, New York 14004-0157 a request to renew their application for Excavation, Removal, and Storage of Materials to fill (approximately 45,000 cubic yards of soil) for the vacant property at the end of Woodhaven Road for future development of the property to extend Woodhaven Road into Diller Drive, and

WHEREAS, we have reviewed the request and have found it acceptable per Town code. All necessary insurances have been updated and are acceptable, and the required bonds are still in place.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby approves of the 1-year extension of the Woodhaven Road Excavation, Removal, and Storage of Materials Permit #2016-02 to fill the vacant property at the end of Woodhaven Road per the recommendation of the Town Engineer.

The resolution was unanimously adopted.

Old Business #4 Approve Final Payment & Release of Retention to Zoladz Const.

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

WHEREAS, the Bussendorfer Regional Detention Pond Project is complete. All work has been satisfactorily completed in accordance with the specifications and,

WHEREAS, a two-year maintenance bond in the amount of \$1,561,583.80 has been submitted along with all necessary legal documents.

NOW THEREFORE be it,

RESOLVED, that the Town Board hereby approves the Supervisor to authorize the final payment and release of retention to Zoladz Construction, 13600 Railroad Street, Alden, New York 14004, for Bussendorfer Regional Detention Pond Project in the amount of \$82,101.17, and authorize the Town Clerk to release the performance bond in the amount of \$1,257,749.02 as recommended by the Town Engineer.

The resolution was unanimously adopted.

Old Business #5 Approve Change Order #13

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

WHEREAS, a concern was brought to our attention regarding the four open corner areas in the gymnasium. These areas are open above the padded walls and could allow balls and other equipment to be trapped in the space. Either doors must be added to access the space or the entire open section above the padded wall must be screened to isolate the areas. After reviewing the options, it was decided to proceed with adding doors into the walls. This will also allow the user groups and maintenance staff to utilize the areas for storage. The Cost provided by Javen to complete this work is \$13,174.40, and

WHEREAS, during the public tours of the Center, questions were raised about the mirrors that were to be installed in the Dance Studio. One concern was that there would be no mirrors on a large portion of the west wall due to the two double doors in that space. The Senior Department had asked us to solicit a quote to install mirrors on the double doors providing a more continuous mirror wall. Javen has submitted a cost of \$2,875.00 to complete this work, and

WHEREAS, if approved, this change order will increase Javen's total contract \$16,049.40 to \$12,691,560.07 representing a 0.95% increase. There is presently funding allocated under Capital Projects ABOO4 & ABOO5 for the Community Activity Center and additional funding is being allocated into the accounts from bonding authorization as needed.

NOW, THEREFORE, be it

RESOLVED, that the Town Board approves change order #13 to our contract with Javen Construction Co., Inc., 2575 Baird Road, Penfield, NY 14526 for the gymnasium wall doors and dance studio mirrors in an amount not to exceed \$16,049.40 for the Brush Mountain Community Activity Center Project as recommended by the Town Engineer.

The resolution was unanimously adopted.

Old Business #6 Approve Change Order # 5

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

WHEREAS, a concern was brought to our attention regarding the four open corner areas in the gymnasium, after reviewing the options, it was decided to proceed with adding doors into the walls. This will also allow the user groups and maintenance staff to utilize the areas for storage. With the addition of doors the spaces must now have fire protection as advised by the Building Dept. The Cost provided by Spaeder to install fire suppression systems in the corner storage area has been proposed at \$3,022.23, and

WHEREAS, this change order will increase Wm. T. Spaeder's total contract to \$202,253.30 representing a 1.49% increase. There is presently funding allocated under Capital Projects ABOO4 & ABOO5 for the Community Activity Center, and additional funding is being allocated into the accounts,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby approve change order #5 to our contract with Wm. T. Spaeder Co., Inc., 1602 East 18th Street, Erie, PA 16510, for the sprinkler head gym additions in an amount not to exceed \$3,022.23 for the Brush Mountain Community Activity Center as recommended by the Town Engineer.

The resolution was unanimously adopted.

Old Business #7 Approve Change Order # 10

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

WHEREAS, a request was made by the Senior Department to include two outlets within the hallways to accommodate a future new computer log-in system for the senior activities at the C.A.C. One will be located near the dedicated senior entrance and the other near the Directors office in the Main Lobby. IPL has supplied a quote of \$925.00 to complete this work, and

WHEREAS, while configuring the office spaces with the user groups and Prentice Office Solutions it was noted that a receptacle would have to be added in the Rural Transit office. While there is currently outlets in the room the furniture and desk layout will not allow for usage without the need for extension cords in the walkway. This is due to the need for the desk to be in close proximity to the radio antenna connection in the room. IPL has proposed a cost of \$1,119.00 to complete this work, and

WHEREAS, this change order will increase IPL's total contract by \$2,044.00 to \$1,932,328.55 representing a 0.11% increase.

NOW, THEREFORE, be it

RESOLVED, the Town Board approves change order #10 to our contract with Industrial Power & Lighting Corporation 60 Depot St, Buffalo, NY 14206, for the installation of additional outlets in an amount not to exceed \$2,044.00 for the Brush Mountain Community Activity Center per the recommendation of the Town Engineer.

The resolution was unanimously adopted.

Old Business #8 Approve Change Order # 9

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

WHEREAS, work nears completion and the HVAC, Electrical, and Security Systems become operational it is important to have detailed accounts of all startup, testing, balancing, and functionality tests. The Specifications for the C.A.C. call for detailed processes to be carried out by the contractors and overseen by a Commissioning Authority, and

WHEREAS, a Proposal has been received by Wendel to act as the Town Commissioning Authority and oversee all startup of the necessary systems. The proposal will alter Wendel's existing scope of work however; the current construction administration contract has been managed effectively and appears to have surplus allocations that will cover the cost of the commissioning work. The commissioning services cost are not to exceed \$40,995.00.

NOW, THEREFORE, be it

RESOLVED, that the Town Board approves the change order #9 to our contract with Wendel WD Architecture, Engineering, Surveying & Landscape Architecture, P.C. Centerpointe Corporate Park, 375 Essjay Road, Suite 200, Williamsville, NY 14221, to include the commissioning services scope of work for the Brush Mountain Community Activity Center utilizing only surplus funds previously approved for the Construction Administration contract resulting in a zero net increase to their total contract per the recommendation of the Town Engineer.

Supervisor Keem Aye
Councilmember Sherry Aye
Councilmember Majchrzak Nay

The resolution was duly adopted.

PUBLIC COMMENT ON NEW BUSINESS

No one came forward

New Business #1 Approve Closure of Completed Capital Projects November 2019

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

WHEREAS, the Town has completed project G0005 (Z77) Mid County Sanitary Sewer, and

WHEREAS, the project has a surplus of \$107,134.17, and

WHEREAS, the Town has reviewed the source of surplus funds and determined other projects in which the funds may be transferred to,

NOW, THEREFORE, be it

RESOLVED, that the Town Board authorizes the closure of capital project G0005 (Z77) Mid County Sanitary Sewer by transferring \$107,134.17 to the following project: G0006 (Z78) Berg Rd Sanitary Sewer Pump Station.

The resolution was unanimously adopted.

New Business #2 Authorize Extension of Patrick J. McMaster to Position of Transition/Training Consultant

19) 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 extension of Patrick J. McMaster to the position of transition/training consultant as of November 7th, 2019 at a rate of \$28.50 per hour, not to exceed 60 days.

The resolution was unanimously adopted.

New Business #3 Adopt Special Charges in the “Letter of Authorization”

20) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR KEEM, 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 and Orchard Park-	\$ 2,170.93
Total Unpaid Refuse & Pro-Rated Garbage-	\$ 2,024.75
Total Property Maintenance & Code Enforcement	\$37,662.00

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 #4 Supervisor to sign Agreement with Lineage to Lease a new Mail Machine with Service agreement

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

RESOLVED, that the Town Board approves the Supervisor to sign an agreement with Lineage to lease a new Mail Machine with a lease agreement not to exceed \$470.70 a month for 60 months and a service agreement not to exceed \$204.48 a month for 60 months.

The resolution was unanimously adopted.

New Business #5 Supervisor to sign an agreement with Prentice Office Environments

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

WHEREAS, directed by the Town Board, and demonstrated in the presentation during the October 30th work session, the Engineering Department has worked with Prentice Office Environments to coordinate both the Senior and Recreation Departments furniture needs for the C.A.C., and

WHEREAS, the furniture and office equipment will be supplied by eight separate companies. The total cost proposed by the following seven companies is based on State Bid Contract pricing and includes delivery, set-up, and packaging disposal;

National Office Furniture - \$57,650.51
Ergonom Corp dba ERG International - \$1,952.00
Claridge Products - \$8,706.20
Krueger International dba KI - \$51,427.03
Smith System - \$6,123.00
Global - \$92,213.90
Steelcase - \$79,305.50

WHEREAS, the eighth contract is for furniture not currently on state bid and totals \$17,715.71. The Town Attorney was consulted and this furniture can be purchased directly through Prentice Office Solutions professional services contract, and

WHEREAS, a CDBG has been applied for some of the furniture included in the quote including all of the Senior Wing furniture. It has been verified from Erie County that if the furniture is purchased prior to April 1, 2020 it will not qualify for the grant. There is presently funding allocated under Capital Projects ABOO4 Community Activity Center and additional funding is being allocated into appropriate accounts as needed from authorized bonds for this per Drescher & Malecki.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby approve the purchase orders with the eight companies involved, through Prentice Office Environments, 472 Franklin Street, Buffalo, NY 14202, to provide interior furniture for the Brush Mountain Community Activity Center in an amount not to exceed \$315,093.85 per the recommendation of the Town Engineer.

The resolution was unanimously adopted.

New Business #6 Supervisor to sign Agreement with GHD, Inc.

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

RESOLVED, that the Town Board is hereby authorized to table the authorization for the Supervisor to sign an agreement with GHD, Inc. for professional services for the Berg Road P.S. Replacement Project and Hillsboro P.S. Generator.

The resolution was unanimously adopted.

New Business #7 Supervisor to sign agreement with SJB/Empire GEO Services Inc.

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

WHEREAS, the Engineering Department and DiDonato Associates are in the design phase of the Bussendorfer Waterline Replacement Soil Boring and Geotechnical Report project. One important component of the project will be boring underneath Abbott Rd. This bore will require a substantial bore pit to be located in the east bound travel lane of Bussendorfer Rd. To ensure that the appropriate shoring methods are specified soil conditions must be accurately reported and,

WHEREAS, three proposals were received to provide three soil bores and pavement cores along the alignment of the new waterline. SJB/Empire Geo was the lowest cost and has proven to be a reliable and credible resource.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to sign an agreement for professional services with Empire GEO Services, Inc., 5167 South Park Avenue, Hamburg, New York 14075, to provide soil borings and geotechnical report services for the Bussendorfer Waterline Project in an amount not to exceed \$2,950.00 as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #8 Appoint Principal Engineer Assistant

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

WHEREAS, this is a replacement of a vacant position within the Engineering Department which is currently funded with the 2019 budget. The wage range recommended for the Principal Engineer Assistant union title, per the White Collar agreement range is 0011 \$25.02.01-\$32.95/hr. (\$52,242 -\$68,800), and

WHEREAS, after interviewing several candidates I have concluded that the best-qualified individual for the position is Ken Kostowniak. Mr. Kostowniak has worked for several consulting civil engineering firms with extensive experience with CADD and Civil 3D as well as various civil engineering or construction work. Mr. Kostowniak has also work for the Village of Springville and Williamsville DPW, involved with all aspects of sanitary, lighting, water, and highway infrastructure. Mr. Kostowniak has completed the challenges of the duties and responsibilities from his former employers with enthusiasm and has performed his assignments with diligence and effectiveness receiving excellent recommendations from previous employers.

WHEREAS, discussed at the October 30th work session, Mr. Kostowniak would require an accommodation at the time of hiring in lieu of a previously planned 1 week of family vacation. I believe that this accommodation at the time of hire should be granted by the Board as the hiring of this qualified employee by management is necessary to get projects finalized and out to bid. Additionally, I believe that there may be a need for overtime estimated to be in excess of \$3,000, to get Mr. Kostowniak up to speed on the Orchard Park Standards and in order for him to complete CADD/Civil 3D work for Lexington/Brenner Reconstruction and Lake View Reconstruction Project design plans, as well as new proposed design work. The expenditure of this overtime would provide efficiencies to the Town by the expedition of critical back logged work caused by the departure of Mr. Billi.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby appoints Mr. Kenneth Kostowniak, to the position of Principal Engineer Assistant assigned to the Engineering Department at Range 0011, Step E of the White Collar Union wage schedule, effective November 20, 2019 with one week of vacation, a six-month probation period, and pending meeting all Civil Service rules and regulations as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #9 Appoint Senior Engineer Assistant

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

WHEREAS, this is a replacement of a vacant position within the Engineering Department which is currently funded with the 2019 budget. The wage range recommended is the Senior Engineer Assistant union title, per the White Collar agreement range is 0009 \$23.01-\$28.27/hr. (\$48,044.88-\$59,027.76), and

WHEREAS, after interviewing several candidates the Town Engineer has concluded that the best-qualified individual for the position is Zacherie Sucrese. Mr. Sucrese has worked assisting in the completion of various projects for Apex Consulting PC for 1 year and has graduated from Clarkson University College with a Bachelor of Science Degree in Civil Engineering in 2017. Zacherie has completed the challenges of the duties and responsibilities from his former employers with enthusiasm and has performed his assignments with diligence and effectiveness receiving excellent recommendations from previous employers.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby appoints Mr. Zacherie Sucrese, to the position of Senior Engineer Assistant assigned to the Engineering Department at Range 0009, Step A-1St yr. of the union wage schedule effective November 21, 2019 with a six-month probation period and pending meeting all Civil Service rules and regulations as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #10 Authorize Advertisement for Bids for Hazel Court Sanitary Sewer Extension

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

WHEREAS, the Orchard Park Engineering Department is finalizing design plans, specifications, and necessary approvals for the extension of approximately 1,240-LF of the 8-inch PVC gravity sanitary sewer mainline for the Hazel Court Sanitary Sewer Extension Phase 2 Project along Southwestern Boulevard. One easement is outstanding but is anticipated to be signed, and

WHEREAS, in order to keep the project on schedule, the Advertisement for Bids should be authorized to be published on November 21, 2019. Plans and specifications will be available for purchase on December 6, 2019 with the bid opening to be held on December 20, 2019. It is expected that the construction work will start, weather permitting, in late January or February 2020 with completion of final restoration in May 2020 as spring weather permits.

NOW, THEREFORE, be it

RESOLVED, that the Town Board authorizes advertisement in the Orchard Park Bee for sealed bids to be opened for the Hazel Court Sanitary Sewer Extension Phase 2 Project on December 20, 2019 at 2:00 P.M. in the Supervisor's Conference Room at the Orchard Park Municipal Center.

The resolution was unanimously adopted.

BUSINESS FROM THE FLOOR

Charlene Bugle of Buffalo Orchard Park Topsoil inquired about why Orchard Park residents and the Town aren't doing more to help them after their building burned down.

Bob Lenartz complained there has been no leaf pick up at all in Eagle Heights. He wanted it to be brought to everyone's attention.

Kathy Gorkowitz asked about the treatment of the people at Buffalo Topsoil. She feels they should be treated with more compassion.

John Vinti of Powers Road asked about the sewer tax he’s been paying for when he has no sewers. He would like a response to his letter he submitted to the Supervisor Keem, Town Attorney John Bailey and Town Engineer Wayne Bieler. When he received no response he called Channel 4 News. They are airing a story on this topic at 4:00 11/7/19. He wants to know whose responsibility it is to represent the Town people in this matter. He would like a refund of past sewer tax paid and the tax to be removed from people who have no sewers.

John Riley stated the leaf pick-up truck has not been by his house at all yet this year. The leaf piles have nowhere to go but into the road and are starting to be a road hazard.

ELECTED OFFICIALS & DEPARTMENT HEADS

Supervisor Keem said crews are out clearing trees by the power lines. The results are displayed by fewer power outages in Eagle Heights. He sympathized with the residents inquiring about leaf pick up. He recognizes it is a terrible issue. He addressed the issues of Buffalo Topsoil. He spoke of the Sewer Tax questions. Buffalo Topsoil was grandfathered in and shouldn’t be selling topsoil from that location. He also stated the Budget that was passed tonight has a tax rate of 3.33% and a Tax Levy increase of 4.94%.

Councilmember Sherry spoke of Buffalo Topsoil. He has been in contact with the chair of the Planning Board, he will hear from him by the end of next week.

Town Clerk Remy Orffeo announced an additional communication came in after the agenda came out and will be kept on file in our office. It stated there is a public meeting regarding a proposed plan for the former Niagara Falls Buffalo Defense Nike Battery BU-34/35 formerly used defense site.

Police Chief Wehrfritz asked that everyone drive carefully in the coming snowfall.

Highway Superintendent Piasecki stated the Highway Department is picking up leaves including the weekend and holiday. The crews are working on prepping the snow trucks and are closing up the park buildings. He also finished the last of the tree planting on Sonnet Drive and Concerto Lane.

Town Engineer Wayne Bieler spoke of what is involved in extending the sewer lines and sewer districts. He stated that the County gets 90% of the tax. The Town only gets \$1.99 of it. He stated the Engineering Department has been understaffed and has recently hired more people to cover these and other issues.

28) 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:

General Fund	\$74,417.45
Public Safety Fund	\$19,491.79
Part Town Fund	\$1,057.59
Risk Retention	-0-
Cemetery Fund	-0-
Highway Fund	\$29,726.76
Special Districts	\$54,261.28
Trust & Agency	\$1,591.16
Capital Fund	\$1,275,571.92

The resolution was unanimously adopted.

29) 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 receive and file the response from Erie County Public Works Department regarding the All-Way Stop Request given to them from the Town of Orchard Park.

The resolution was unanimously adopted.

30) 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 receive and file the Orchard Park Fire District 2020 Budget Summary.

The resolution was unanimously adopted.

There being no further business, on a motion by Supervisor Keem, seconded by Councilmember Majchrzak, the meeting adjourned at 7:49 pm (local time).

Respectfully Submitted,

**Remy C. Orffeo
Town Clerk**