

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 4th day of December 2019 at 7:10 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
	Steve Bremer	Building Inspector
	Frederick Piasecki, Jr.	Highway Superintendent
	E. Joseph Wehrfritz	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 COUNCILMEMBER MAJCHRZAK, TO WIT:

RESOLVED, that the Town Board does hereby approve the Regular Meeting Minutes: November 20, 2019 Executive Sessions: November 20, 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
Proposed Local Law #7-2019 Parks and Playgrounds “Hunting”**

At 7:10PM (local time) Supervisor Keem called for the Public Hearing to hear all interested parties regarding the proposed Local Law regarding Amending Chapter 97 “Parks & Playgrounds”, Article 1 General Provisions”, Section 97-11 “Hunting”

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

Supervisor Keem asked if anyone is interested in speaking or making a comment.

Valerie Will spoke in favor of the proposed Hunting Law. She stated she would like to see less hunting in town. She is against hunting during all seasons and all types.

Larry Broad spoke against it. He stated the 500 foot portion of the proposed law would greatly affect hunting on his land. He has three young children that he is trying to teach the proper way to hunt. If this law is passed, his ability to hunt with them on his land won’t be possible.

Supervisor Keem, Councilmember Sherry and Councilmember Majchrzak decided the proposed Local Law needs to be rewritten to clarify what defines recreational land.

2) 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 close the Public Hearing for proposed Local Law 7-2019, regarding Amending Chapter 97 “Parks & Playgrounds”, Article 1 General Provisions”, Section 97-11 “Hunting” at 7:24PM.

At this time Supervisor Keem stated that the Town Board is not going to move on this Local Law tonight.

The resolution was unanimously adopted.

PUBLIC COMMENT ON NEW BUSINESS

No one came forward

New Business #1 Authorize Budget Amendment for Police Insurance Recoveries

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

WHEREAS, the Town has incurred additional costs for damages that were reimbursed by insurance proceeds; and

WHEREAS, the Town has received the proceeds that were not included in the 2019 budget.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the amending of the 2019 adopted budget to authorize additional appropriations and estimated revenues in the amount of \$37,492.47:

Increase Appropriations:

PS3120 50215	PS Patrol Cars	\$35,000.00
PS3120 50444	PS Equip Repair & Maint	\$2,492.47

Increase Estimated Revenues:

PS0000 42680	PS — Insurance Recoveries	\$35,000.00
PS0000 42680	PS — Insurance Recoveries	\$2,492.47

The resolution was unanimously adopted.

New Business #2 Authorize a Budget Amendment for Police IT Equipment

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

WHEREAS, the Town has received a National Incident Based Reporting System (NIBRS) grant in the amount of \$7,373.04 for the purchase of Public Safety Think Pads; and

WHEREAS, the proceeds and purchase of equipment were not included in the 2019 budget.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the amending of the 2019 adopted budget to authorize additional appropriations and estimated revenues in the amount of \$7,373.04:

Increase Appropriations:

A00000 50200	Info Tech — Equip	\$7,373.04
--------------	-------------------	------------

Increase Estimated Revenues:

A00000 44389	Fed Aid — PS Equip	\$7,373.04
--------------	--------------------	------------

The resolution was unanimously adopted.

New Business #3 Authorize the Supervisor to sign an agreement with the Orchard Park Symphony.

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

WHEREAS, the Town is desirous of assisting in providing a program of entertainment for the entire community; and

WHEREAS, representatives of the Orchard Park Symphony appeared before the Town Board and explained the purpose of their organization; and

WHEREAS, the residents of the Town of Orchard Park will benefit from such a program.

NOW THEREFORE, be it

RESOLVED, that the Town agrees to pay the Orchard Park Symphony the sum of Four Thousand Dollars (\$4,000.00).

The resolution was unanimously adopted.

New Business #4 Authorize Advertisement for OP Highway and Sewer, Water and Lighting Buildings Remodeling Project.

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

WHEREAS, Bammel Architects, PC, is finalizing the plans and specifications for the Highway and Sewer, Water & Lighting Buildings 2019 Remodeling Project; and

WHEREAS, the remodeling project consists of new restroom facilities, lunchrooms, and changing areas, etc. for the Highway department and SW&L department; and

WHEREAS, the Advertisement for Bids should be published on December 5th, 2019. Plans will be available for purchase on December 20, 2019 in the Town Clerk Office. The bid opening will be held on January 23, 2020.

NOW THEREFORE, be it

RESOLVED, that the Town Board does hereby accept the plans (Town designed & drawn) and specifications for the proposed Highway and Sewer, Water & Lighting Buildings 2019 Remodeling Project as reviewed and prepared by Bammel Architects, PC, and authorize advertisements in The Bee for sealed bids to be opened for the Highway and Sewer, Water & Lighting Buildings 2019 Remodeling Project at 2:00 P.M. on January 23, 2020 in the Supervisor's Conference Room (second floor) at the Orchard Park Municipal Center as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #5 Authorize Advertisement for the OP Little Loop Football Announcers and Storage Building Project.

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

WHEREAS, Carmina-Wood-Morris, DPC, is finalizing the plans and specifications for the Little Loop Announcers and Storage Building Project. The project consists of the design plans and specifications for the construction of a three (3) story block building for football equipment storage and game announcement activities; and

WHEREAS, the Advertisement for Bids will be published in the Orchard Park Bee. Plans will be available for purchase on December 20, 2019 in the Town Clerk's Office. The bid opening will be held on January 23, 2020.

NOW THEREFORE, be it,

RESOLVED, that the Town Board does hereby accept the plans and specifications for the proposed Brush Mountain Little Loop Announcers and Storage Building as prepared by Carmina-Wood-Morris, DPC, and authorize advertisements in The Bee for sealed bids to be opened for the Brush Mountain Little Loop Announcers and Storage Building at 2:00 P.M. on January 23, 2020 in the Second Floor Supervisor's Conference Room at the Orchard Park Municipal Center as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #6 Authorize Advertisement for the Animal Control Remodeling Project.

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

WHEREAS, Bammel Architects, PC, is finalizing the plans and specifications for the Renovations to Animal Control Office; and

WHEREAS, the renovation project consists of new windows and doors, secure outdoor kennels, interior kennels, non-slip flooring, lighting, plumbing, mechanical upgrades and removals, air conditioning, building weatherizing and security cameras, etc.; and

WHEREAS, the Advertisement for Bids will be published in the Orchard Park Bee. Plans will be available for purchase on December 20, 2019 in the Town Clerk Office. The bid opening will be held on January 23, 2020.

NOW THEREFORE, be it

RESOLVED, that the Town Board does hereby approve the plans and specifications for the proposed Renovations to the Animal Control Office as prepared by Bammel Architects, PC, and authorize advertisements in The Bee for sealed bids to be opened for the Renovations to Animal Control Office at 2:00 P.M. on January 23, 2020 in the Supervisor's Conference Room (second floor) at the Orchard Park Municipal Center as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #7 Approve Change Order #14 to the Contract with Javen Construction.

9) 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 specified materials to be installed in the Kitchen area of the Brush Mountain Community Activity Center Project. The NYS Department of Health requires washable walls and ceilings to be permitted to operate; and

WHEREAS, the Engineering Department has inquired with the Senior Department as to the type of DOH permit currently held at the Senior Center and if the permit type will change if the kitchen is to be operated by other users other than the Senior Group. We have not yet received an update as to the type of permit that will be required for the new facility; and

WHEREAS, the Architect has provided direction stating that the walls currently installed are sufficient to pass DOH inspections but the ceiling will have to be amended to a washable tile from the acoustical tile currently specified. Javen has submitted a cost of \$2,163.91 to complete this work; and

WHEREAS, this change order will increase Javen's total contract to \$12,693,723.98 representing a 0.02% 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 does hereby approve change order #14 to our contract with Javen Construction Co., Inc., 2575 Baird Road, Penfield, NY 14526 to install a washable ceiling tile in the Kitchen area in an amount not to exceed \$2,163.91 for the Brush Mountain Community Activity Center Project as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #8 Approve the purchase of a Sewer Camera System for the Sewer, Water & Lighting Department.

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

WHEREAS, discussed at the Capital Projects Meetings, Town Board 10/2/19 Work Session, and per Memo dated 10/16/19, the Sewer, Water and Lighting Department and the Engineering Department researched the various camera equipment available. Demos were provided for the Town for Aries and Proteus camera equipment, both required reporting done on a second computer. Cues camera equipment, had their service representatives in Florida. Upon seeing the Envirosight sewer inspection camera equipment demo, the system

was determined to be the better option due to the reporting capabilities and being the system currently used by Erie County. The County understands the system, and is willing to assist us and had great reviews of the equipment. The Envirosight camera tractor was also the most durable tractor design evaluated; and

WHEREAS, a total Quote of \$185,678.53 is through Sourcewell Contract #022014-EVS and Joe Johnson Equipment is the NJPA/Sourcewell dealer with the contract. The quotation includes the build out based on a Ford 350 vehicle, operator studio equipment, equipment bay, power equipment, exterior equipment, as well as miscellaneous equipment options. The Town of Orchard Park is a member of Sourcewell; and

WHEREAS, Joe Johnson Equipment is the company the Town purchased the Vac Truck from and were pleased with after purchase training and service. Joe Johnson Equipment also has a certified repair facility in Rochester for Envirosight. A Sewer Camera System letter of intent was sent November 27, 2019 to Joe Johnson Equipment to hold the Ford Transit 350 Van, (vehicle portion) the last 2019 truck locally available; and

WHEREAS, the Sewer Camera System would be an integral part of the department that would increase productivity and the level of service provided to Orchard Park residents. The Sewer Camera would primarily be utilized to inspect sanitary sewers for maintenance. (Cleaning evaluations, relining candidates, and sanitary sewer replacement needs). The system could also be used to evaluate storm sewer pipe systems for replacements. With repair options identified early, costly replacements and costly emergency repair work will be avoided for both sanitary sewers & storm water sewer; and

WHEREAS, sufficient funds have been allocated in the Sewer, Water & Lighting Department Budget under Capital — Sewer & Water Equipment Acquisition (WS002) for the purchase.

NOW THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the purchase of the Sewer Camera System (w/build out base on Ford Transit 350 Vehicle, Envirosight buildout, and complete Rovver X System) using the Sourcewell contract #022014-EVS from Joe Johnson Equipment, for a total cost not to exceed \$185,678.53 as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #9 Appoint a Kitchen Manager to the Senior Center.

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

WHEREAS, the Town of Orchard Park Senior Center is in need of a new kitchen manager; and

WHEREAS, Kevin Kornowicz has many years of experience working in a school system cafeteria; and

WHEREAS, there is money in the Senior Center budget for a new Kitchen Manager.

NOW, THEREFORE be it

RESOLVED, that Kevin Kornowicz is hired as the Orchard Park Senior Center Kitchen Manager at a rate of \$13.50 per hour, effective December 9, 2019, with a 90 day probationary period.

The resolution was unanimously adopted.

BUSINESS FROM THE FLOOR

Rebecca Overton spoke of her concerns regarding the Heathwood Assisted Living Facility being considered for her neighborhood. Her concerns included the height of the proposed building, wetlands found there, water runoff, flooding, elevation of the building and the cemetery located there.

Maura Watson spoke of how services from the Highway Department are steadily declining. She asked for Highway Superintendent Fred Piasecki to come up with a better plan to get the leaf/brush pick up and snow plowing done in a timely manner. School closings shouldn't happen due to the plows being sent out hours after they should be. If there are presently more miles of road in the Town shouldn't we have more plows/workers? Why hasn't there been an audit? If basic services are not being met then the Town Board needs to get involved. She would like to see a better manager in the Highway Department who would be more accountable.

Chris Weyers notified the Town Board of the 55/+ people posting complaints on the Nextdoor App regarding the lack of leaf/brush pickup and snow plowing done by the Town. She asked for a refund on her taxes.

Dave Schuster asked if the Town Board Work Session Minutes could be put on the Town Website. He stated other townships have theirs online or live streamed. He would also like to see a more detailed Work Session agenda and minutes of the Work Session. He asked if the Planning Board minutes could be put online. He also stated he is in favor of Conor Flynn's idea of live streaming the Town Board Meetings.

Bridget Pacholec voiced her opinion of the Town Board.

Larry Broad asked when the Local Law regarding Hunting will be presented again.

ELECTED OFFICIALS & DEPARTMENT MANAGERS

Supervisor Keem stated the Town Board gave the Highway Department everything they requested in their yearly Budget.

Town Clerk Remy Orffeo stated the letter given to the Town Clerk from Rebecca Overton regarding the proposed Assisted Living Center will be forwarded to all members of the Town Board.

Highway Superintendent Fred Piasecki stated he was approved for a budget of \$4.7 million but his request of two more employees to be hired in 2020 to help with brush pickup was taken out of the budget. He stated the Town Board controls his ability to hire new employees.

Supervisor Keem stated the Town Board decided to again subcontract out the brush pickup instead of hiring two new Town employees. The tentative budget did have two new employees for Highway but they decided to put the funding into a contractor for brush collection. He stated it was about the same amount of money.

12) 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 # 23 following auditing by members of the Town Board and in the funds indicated:

General Fund	\$473,140.23
Public Safety Fund	\$21,071.44
Part Town Fund	\$49,683.83
Risk Retention	-0-
Cemetery Fund	-0-
Highway Fund	\$262,778.29
Special Districts	\$1,187,513.54
Trust & Agency	\$36,064.95
Capital Fund	\$1,435,687.12

The resolution was unanimously adopted.

There being no further business, on a motion by Supervisor Keem, seconded by Councilmember Majchrzak, the meeting adjourned at 7:50 pm (local time).

Respectfully Submitted,

**Remy C. Orffeo
Town Clerk**