

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 2nd day of March 2016 at 7:00 PM, the meeting was called to order by Supervisor Keem and there were:

PRESENT AT ROLL CALL:

Patrick J. Keem	Supervisor
Eugene Majchrzak	Councilman
Michael Sherry	Councilman
John C. Bailey	Town Attorney
Remy Orffeo	Town Clerk
Wayne Bieler	Town Engineer
Andrew Geist	Building Inspector
Frederick Piasecki, Jr.	Highway Superintendent
Mark Pacholec	Chief of Police

Supervisor Keem read into the record the following: "If anyone appearing before the Town Board has a family, financial or business relationship with any member of the Board, it is incumbent upon that person to make it known under State Law and the Town Code of Ethics."

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

RESOLVED, that the Town Board does hereby approve the Regular Town Board Meeting Minutes held on February 17, 2016, Executive Sessions: February 10, 24, 2016 and be it further

RESOLVED, that the reading of these minutes be dispensed with as each member of the Town Board has previously received copies thereof.

The resolution was unanimously adopted.

Old Business # 1 Final Dedication of PIP 2015-03 and Release of Performance Security

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

WHEREAS, on January 7, 2016, a final inspection was conducted of the public improvements installed in the Riley Meadows Subdivision, Phase 2. The project included the installation of Golden Oak Lane, and

WHEREAS, all work has been satisfactorily completed in accordance with Town specifications with the exception of the following, which will be completed when the weather permits:

- Place and fine grade topsoil, and hydro seed mulch along public sanitary easement and ROW of Golden Oak Lane \$ 5,000
- Fine grade topsoil, and hydro seed and mulch along public sanitary easement and ROW of Murphy Road and at #5236, #5312, #5329, and #5330 Murphy Road residences. Fine grade and address settlement and seed as needed at field inlets along swale in Lots # 33, 34, and 35

WHEREAS, we are still in receipt of the \$15,000 cash securities for the items noted above. And a two-year maintenance bond in the amount of \$190,000.

NOW, THEREFORE, be it

RESOLVED, that the Town board does hereby authorize the Town Attorney to proceed with the dedication of the public improvements in the Riley Meadows Subdivision; Phase 2 constructed under PIP #2015-03, and authorize the Town Clerk to release the performance security in the amount of \$38,000.00, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #1 Green Lake Sanitary Sewer Easement

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

WHEREAS, the Engineering Department has received proposed easement documentation from the Erie County Sewer District #3 (ECSD #3) regarding a sanitary sewer easement at the westerly end (Woodland Drive and Carey Drive) of Yates Park, and

WHEREAS, the easement will provide access and allow future maintenance for ECSD #3 to redirect flows from the two streets directly into the existing ECSD trunk line. This work will improve hydraulics of the sanitary sewer systems for both ECSD from Carey Drive and the Town from Woodland Drive. In addition, the design for the new spillway under the Green Lake Dam Rehabilitation Project will expose the existing sanitary sewer line, which currently runs under the dam embankment and spillway. Consequently, the easement is necessary to complete the work to abandon the pipe from under the dam to facilitate the construction of the project.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the Town Supervisor to sign the easement granting ECSD #3 access to maintain the sanitary sewers within the limits of Yates Park, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #2 Approve PIP Permit for Eagle Heights Part 8 Phase 3

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

WHEREAS, the Town has received from Cimato Bros. Construction, Inc, 9220 Transit Road, East Amherst, New York, 14051, an application for a Public Improvement Permit to construct Part 8, Phase 3 of the Eagle Heights Subdivision, and

WHEREAS, the project consists of the installation of 2,500 L.F. of roadway and public utilities to serve 31 new sub lots. Phase 1 included the dedication of approximately 7.7 acres of land to the Town for parklands, and

WHEREAS, the plans and specifications have been reviewed by the Town Engineer for the proposed project and have found them to be in compliance with current Town specifications. We have receipt of all necessary fees, bonds, and insurance.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby approve the Public Improvement Permit #2016-01 for Eagle Heights Subdivision Part 8, Phase 3, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #3 Traffic Order - Stop Sign on Golden Oak Lane & Murphy Road

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

WHEREAS, the Police Chief, Highway Superintendent, and Town Engineer have reviewed the street layout for the above referenced subdivision phases, and pursuant to the authority granted by §1600 of the Vehicle and Traffic Law of the State of New York

NOW, THEREFORE, it is hereby

ORDERED, the posting of a “ **STOP SIGN**” on Golden Oak Lane at the intersection of Murphy Road, and be it further

ORDERED, that the Superintendent of Highways be and is hereby directed to post the proper and necessary sign at said location.

The resolution was unanimously adopted.

New Business #4 Advertise for Junior Engineer & Assistant Senior Positions

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

WHEREAS, since July 2016 there has been a vacant position in Engineering Department, with the resignation of Dean Franklin, Assistant Senior Engineer, CADD draftsman. After canvassing the previous civil service list, none of the candidates had design CADD experience. The Engineering Department, as mentioned at previous Town Board work sessions, also has a vacant Junior Engineer position. The Junior Engineer would assist with the increase technical workload associated with maintaining the Town's increasing infrastructure.

WHEREAS, minimum qualifications include graduation from a regionally accredited or New York State registered college or university with a Bachelor's degree in Civil Engineering. In addition, apparently there is a new Civil Service list for Asst. Senior Engineer which should be called for again.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby approve the advertisement for the civil service classification title Junior Engineer and the Assistant Senior Engineer title for the Orchard Park Engineering Department.

The resolution was unanimously adopted.

New Business #5 Advertise for Assistant Civil Engineer Position

7) 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 move to table this agenda item.

The resolution was tabled.

BUSINESS FROM THE FLOOR

No one came forward.

ELECTED OFFICIALS & DEPARTMENT HEADS

Supervisor Keem spoke about how the new recycle totes that started February 1, 2016, are working well. All the totes have been delivered and residents are getting used to their new recycle schedule. Those residents who misplaced their instructions can access the information on the town website, and the calls have diminished. If the 65 gallon tote is not large enough, homeowners can purchase another tote for \$99, or they can trade up their 65 gallon tote for a 95 gallon tote, for a fee of \$99, and they end up with a bigger tote.

Supervisor Keem also commented that the white collar contract was ratified this evening.

Erie County Legislator John Mills was accompanied by Nancy Heath who is his new Assistant. Nancy is being introduced by John Mills to all the 15 townships in his district. John Mills will have his annual hot dog roast at the Orchard Park Library on August 12, 2016 as a fundraiser and has raised over \$57,000 for the Libraries since he has been doing it. Legislator Mills has asked Highway Superintendent Fred Piasecki for a list of County Roads and drainage issues that are in need of repair for this year. John Mills mentioned that Fred Piasecki is on the County negotiating team for the future snow blowing and plowing contracts in smaller towns so the roads get plowed efficiently. Erie County has had a significant decrease of sales tax revue with was down almost \$15 million dollars as a result of lower fuel prices and the drop in the exchange rate which resulted in less county purchases from the Canadians. The county is not in any dire financial problems but we need to look at reducing future spending. Since there is a 4 year program for the control board it may have an effect 4 years out. More than half our county revenue goes through sales tax. We are the only county in NYS that has that high of an impact with county sales tax revenue, and in years prior we had been up almost every year in sales tax revenue.

Erie County Legislator John Mills was honored to read and present the following proclamation to Fred Piasecki in front of the Town Board:

I HEREBY CERTIFY that at a regular session of the Legislature of Erie County, held in the County Hall, in the City of Buffalo, on the 4th day of February, 2016 A.D., a resolution was adopted, of which the following is a true copy:

WHEREAS, Frederick J. Piasecki Jr. is recognized by the Erie County Legislature for his dedication to the Orchard Park community and achievements as Orchard Park Highway Superintendent; and

WHEREAS, Frederick J. Piasecki Jr. graduated from Canisius College with a degree in Business Administration, and began working as a project manager for road construction; and

WHEREAS, Fredrick J. Piasecki, Jr. was first elected by the citizens of Orchard Park as the Highway Superintendent in 2005 and continues to serve in the position today; and

WHEREAS, Frederick J. Piasecki Jr. has maintained the infrastructure of Orchard Park to the highest possible standards, which includes 200 lane miles of town roadway; and

WHEREAS, Frederick J. Piasecki Jr. has facilitated significant changes in the use of Orchard Park resources, by helping to secure alternative energy methods that reduce costs, and open the door to shared services between towns; and

WHEREAS, Frederick J. Piasecki Jr. effectively directed the transformation of the Orchard Park Compost Facility into one of our region's state-of-the-art composting sites providing tremendous economic and environmental benefits; and

WHEREAS, Frederick J. Piasecki Jr. has remained an active member of the community, serving as an Executive Board Member and President for the Town Highway Superintendent's Association of Erie County, and, is currently a member of both the New York State Association of Superintendents of Highway, Inc., and Orchard Park Chamber of Commerce (and past President of the Lions Club); and

WHEREAS, Frederick J. Piasecki Jr. received the Hot Mix Asphalt Showcase Award and the Outstanding Public Servant of the Year Award in 2010; and

WHEREAS, Frederick J. Piasecki Jr. has, been selected by the WNY Branch of the American Public Works Association to receive the 2015 Public Works Leader of the Year Award, for his excellence and dedication in public service.

NOW, THEREFORE, be it

RESOLVED, the Erie County Legislature pauses in its deliberations to recognize and congratulate Frederick J. Piasecki Jr. for his outstanding service as Highway Superintendent for Orchard Park and his dedication to the WNY community.

8) 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 #5 following auditing by members of the Town Board and in the funds indicated:

General Fund	\$57,958.39
Public Safety Fund	\$27,134.23
Part Town Fund	\$190.35
Risk Retention	-
Cemetery Fund	-
Highway Fund	\$50,272.62
Special Districts	\$7,760.80
Trust & Agency	\$3,992.50
Capital Fund	\$16,000.00

The resolution was unanimously adopted.

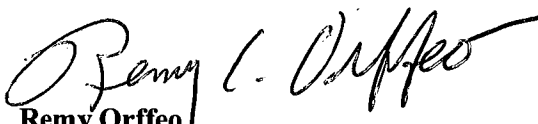
9) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER SHERRY, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER MAJCHRZAK, TO WIT:

RESOLVED, that the Town Board does hereby receive and file the 2015 Compost Site Summary Report and the Building Inspector Report February 2016.

The resolution was unanimously adopted.

There being no further business, on a motion by Supervisor Keem, seconded by Councilmember Majchrzak, the meeting adjourned at 7:20 pm (local time).

Respectfully Submitted,


Remy Orffeo
Town Clerk

