

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 21st day of May, 2014 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
Carol Hutton	Town Clerk
Frederick Piasecki, Jr.	Highway Superintendent
Wayne Bieler	Town Engineer
Mark Pacholec	Chief of Police
Absent	Andrew Geist
	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 Regular Town Board Meeting Minutes held on May 7, 2014, and the Executive Session Meeting Minutes held on May 7 & 14, 2014 are hereby approved 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.

Special Informational Meeting

Luke Malecki from Drescher & Malecki, LLP gave a full Presentation of "Results of Year End 2013 Financial Audit." He stated that overall, the Town is financially stable. A copy of the report is on file in the office of the Town Clerk and is available for public inspection.

Stormwater Phase II Annual Report Coverage – SPDES – Informational Meeting

At this time, Supervisor Keem opened the "Informational Meeting" and asked Town Engineer, Wayne Bieler, to give an overview.

Mr. Bieler stated that per the Federal EPA Environmental Conservation Law, Clean Water Act, and Stormwater Phase II regulations, the Town must submit to the New York State Department of Environmental Conservation, a Stormwater Management Program, and an Annual Report outlining the Town's progress in meeting the Notice of Intent (NOI) goals. The Annual Report must be submitted to the NYSDEC by June 1st each year. Included with the report is the Municipal Compliance Certification Form that must be signed by the Supervisor. The Report is online at the Town's website, and on file in the

Library and the Town Clerk's office. At this time, Town Engineer Bieler opened it to the public for any comments or concerns regarding the Stormwater Program.

No one came forward to speak.

Old Business #1 Private Club to Develop & Operate a Soccer Training Site

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

WHEREAS, the Quaker Soccer Club has applied to the Town of Orchard Park to approve a special exception use at 4760 Freeman Road to allow a Soccer Training Facility on that property, and

WHEREAS, the Planning Board of the Town of Orchard Park has reviewed that application, held a public hearing for the same on April 9, 2014, and has recommended to the Town Board of Orchard Park that said Special Exception Use be approved, and

WHEREAS, the said Planning Board has found that the applicant has satisfactorily addressed the several additional considerations set out by the Code of the Town of Orchard Park for Special Exception Uses, and

WHEREAS, the said Planning Board has outlined additional special conditions relative to its recommendation that the requested Special Exception Use be approved, including but not limited to,

1. The Applicants will be required to receive Site Plan approvals prior to any and all improvements or changes relative to the property that might be proposed in the future.
2. The overall site remains as grassed fields.
3. There will be a minimum of a 30-minute scheduling gap between practice sessions.
4. The use of whistles and other such devices will be restricted and/or not used inside of the singularly designated practice building, and will not be used outside of said building.
5. The facility/property is not to be rented to outside groups.

NOW THEREFORE, be it

RESOLVED, that the Town Board of Orchard Park accept the Town of Orchard Park's Planning Board recommendations concerning the said Soccer Practice Facility proposal including the said Planning Board's findings on the Town of Orchard Park's Codes additional Special Exception Use criteria and the Planning Board's additional conditions for its recommendation, and be it further

RESOLVED, that the Town Board of Orchard Park approves said Special Exception Use with the additional limiting conditions:

1. A landscaped berm and/or fence will be added along the northerly boundary of the property with input from the adjoining property owners as to the nature of said berm and/or fence.

2. A full lavatory will be provided in the singularly designated western most practice building.
3. No practicing or games, whether formal or informal, or congregating will be permitted on the outside except on the southeast corner of the property.
4. No exterior lighting will be allowed without prior Planning Board approval.
5. No audio system will be allowed without prior Planning Board approval.

The question of adoption of the foregoing resolution was duly put to a vote which resulted as follows:

Supervisor Patrick J. Keem	Nay
Councilmember Eugene Majchrzak	Nay
Councilmember Michael Sherry	Aye

The resolution was duly adopted.

Supervisor Keem stated the following reasons for his vote against: nonresidential use in a residential area, partial removal of tax roll, safety of the children going to and from the facility, majority of the neighborhood not in favor, noise factor, flashing of car headlights, additional traffic and ambiguous plans for parking and screening for future use is unsatisfactory.

Councilmember Majchrzak gave the following reasons for his vote against: doesn't fit in the character of the neighborhood and the blind curve in the road and not a true "T" intersection, therefore not safe for children walking and bicycling to the facility.

Councilmember Sherry gave his reasons for his vote in favor: this resolution was about the approval of a Special Exception Use and is not or was it intended to be a site plan with all the dimensions and details. Those would follow and need additional Board review and approval. Anything different in the future would need to be submitted, reviewed and approved and any change could be denied on the basis of the original intent and approval. He stated that the stipulations are positive not negative and demonstrating that the Planning Board and Town Board are doing their job for insuring the best interest of the residents. Councilmember Sherry stated that there were five additional stipulations added to the original Planning Board conditions. He stated that nothing else could be built there, other than residential homes, due to zoning codes. He stated that according to data obtained by the Police Department in regard to the safety issue, that area of Freeman Road and Jewett Holmwood Road has one of the lowest accident rates in the Town and the average speed is lower than the posted speed limits. Councilmember Sherry stated the tax revenue loss is valid, but the soccer program would increase and benefit other value to the community.

Old Business #2 Authorize a Building Permit

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

WHEREAS, With regard to, 4915-4919 Ellicott Road, "OP 250, LLC", the Planning Board recommends that the Town Board authorize a Building Permit for renovations to an existing Two-Story Frame & Concrete Building for the purpose of relocating their office and a "Specialty Mail-Order Pharmacy" there, based on the letter of intent received on 12/31/13 and approve the Site Plan received on 12/31/13. The following conditions and stipulations apply:

1. This is an Unlisted SEQR action based on the submitted Short EAF, Part 1, and a Negative Declaration is made.
2. There will be no additional lighting at the site.
3. Dumpsters shall be screened in accordance with Section 144-25 of the Town Code.
4. The Landscape Plan, received 3/14/14, includes 15% total Green Space. In accordance with Section 144-44(c)(1)(a)(2), a Certified Check amounting to 50% of the \$5,520.00 Landscaping Estimate shall be deposited with the Town Clerk prior to receiving a Building Permit.
5. The Applicant will occupy the existing residence located at the site while building renovations of the proposed two-story structure takes place. Prior to the issuance of a Building Permit for demolishing the residence and site improvements, the Applicant shall obtain Town Engineering approval of all Site Improvements, additional parking, and the Demolition Plan.
6. The Applicant received a Variance for Front Yard Parking granted by the Zoning Board of Appeals on 4/08/14.
7. The Applicant shall submit an Exterior Lighting Plan with fixtures for Planning Board review and approval.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize a Building Permit for renovation to an existing Two-Story Frame & Concrete Building for the purpose of relocating their office and a "Specialty Mail-Order Pharmacy".

The resolution was unanimously adopted.

Old Business #3 Award Bid for Town Owned Backflow Prevention Devices

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

WHEREAS, the Town of Orchard Park is required to test backflow prevention devices in the Senior Center, Library, Municipal Center, Compost Facility, Green Lake/Little League Park, and Honey Crest Playground. The Town must comply with the New York State Sanitary Code Subpart 5, from the New York State Department of Health and from the requirement of the Village of Orchard Park, and

WHEREAS, bids were opened for the Backflow Prevention Devices on May 20, 2014. The bid was for both a base bid for testing and costs of backflow prevention repair kits. Bids were for each facility and the size of the backflow prevention device that each facility currently uses. The lowest base bid of \$950.00 was for all six sites, and

WHEREAS, the Engineering Department has reviewed the bids for this work. The three contractors that bid the scope of work were MKS Plumbing Corp. (\$950.00), D.V. Brown & Associates (\$1,050.00) and John W. Danforth Company (\$2,740.00), and

WHEREAS, the lowest bidder for this project was MKS Plumbing Corporation. The company has been in business since 1994 and has successfully completed various backflow prevention testing and installation projects in the past for Orchard Park. This company is more than capable of completing the proposed testing and repair of the various backflow prevention devices.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby award the contract for Testing and Repair of Town Owned Backflow Prevention Devices to MKS Plumbing Corporation, 19 Ransier Drive, West Seneca, New York, 14224, in an amount not to exceed the base bid of \$950.00, not including any possible repairs and kits.

The resolution was unanimously adopted.

New Business #1 Highbrook Court to hold Annual Block Party

5) 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 Block Party for the residents of Highbrook Court on the cul-de-sac, to be held June 21, 2014. The time for this event will be 4 pm to 11 pm.

The resolution was unanimously adopted.

New Business #2 Appointments to the 2014 Summer Seasonal Part-Time Staff for Recreation

6) 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 appoint the following to the staff of the recreation Department as part-time seasonal staff. The appointments are dependent upon the applicant providing the required certifications, as recommended by the Recreation Director.

RE: 1. Summer Seasonal Part Time Appointment Effective as of June 7 2014

<u>Name</u>	<u>Address</u>	<u>Rate</u>	<u>Position(Title*)</u>
Victoria Hutton	37 Spruceland Terrace	\$9.00	PT2-B (Att)
Trevor Jachimowicz	68 Middlebury	\$9.00	PT2-B (Att)
Jacob Kaczmarek	6 Lennys Lane	\$8.50	PT1-E (LG)
Michael Mielcarek	30 Sitka Circle	\$8.50	PT1-E (LG)
John Quinlan	47 Fox Meadow Lane	\$8.50	PT1-E (LG)
Sarah Ryan	3600 Bonnie Lane	\$8.50	PT1-E (LG)
Jacob Simonsen	2 Symphony Circle	\$8.50	PT1-E (LG)
David Violanti	4146 Ridgefield Terrace	\$8.50	PT1-E (LG)
Luke Wellington	6254 Abbott Rd	\$8.50	PT1-E (LG)

Seasonal Part Time Appointment Rate Change Retro Active as of May 2 2014

Nicholas Ramage	35 Carlton Drive	\$9.00(PT2- B)	\$10.50	PT3-C (Att)
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Summer Seasonal Part Time Appointment Rate Change Effective as of June 7 2014

<u>Name</u>	<u>Address</u>	<u>Old Rate</u>	<u>New Rate</u>	<u>Position(Title*)</u>
Michelle Vasiloff	3578 Heatherwood Dr	\$9.00 (PT2-B)	\$9.50	PT2- D (att.)

The resolution was unanimously adopted.

New Business #3 Approve Attendance to NYSSA Fall Conference

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 approve the Town Assessor, Milton Bradshaw, to attend the NYSSA Fall Conference at Lake Placid, New York from 10/05/14 to 10/08/14. The estimated cost is \$1,400 which includes classes, room, meals, tolls and mileage. The town was reimbursed \$1,127.15 from the State for last year's conference on 3/25/13.

The resolution was unanimously adopted.

New Business #4 Seasonal Employees Appointed to Parks & Grounds

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

RESOLVED, that the Town Board does hereby approve the appointments of the following Seasonal Employees, with Parks & Grounds, with a start date of May 20, 2014, as requested by Highway Superintendent, Fred Piasecki.

- Robert Hartman, with a rate of PT-1, \$8.00/hr.
- Liam Norton, with a rate of PT-1, \$8.00/hr.
- Mitchell Gefaller, with a rate of PT-1, \$8.00/hr.
- Brendan McLaughlin, with a rate of PT-1, \$8.00/hr.
- Timothy Welch, with a rate of PT-2, \$9.00/hr.
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The resolution was unanimously adopted.

New Business #5 Approve the Seasonal Appointment to Compost

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

RESOLVED, that the Town Board does hereby approve the appointment of Andrew Bieler as Seasonal Compost Employee with a rate of PT-2, \$9.00/hr., as requested by Highway Superintendent Fred Piasecki.

The resolution was unanimously adopted.

New Business #6 Authorization to Attend NFL Annual Security Training Conference

10) 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 Chief of Police Mark Pacholec, to attend the NFL Annual Security Training Conference from June 14th to June 18th in San Diego, CA. This conference is funded by the NFL and the Buffalo Bills. There is no cost to the town.

The resolution was unanimously adopted.

New Business #7 Orchard Park American Legion Post 567 to hold annual Memorial Day Parade

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

RESOLVED, that the Town Board does hereby approve the request of the Orchard Park American Legion 567 to hold their Annual Memorial Day Parade and Ceremonies, Monday, May 26, 2014, start time is at 9:00 AM. The Parade will start at the Orchard Park Library, go down South Buffalo Street to the Four Corners, west onto West Quaker St. and into Veterans Park.

The resolution was unanimously adopted.

New Business #8 Authorize Attendance to 2014 Highway School

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

RESOLVED, that the Town Board does hereby approve Highway Superintendent Fred Piasecki, to attend Highway School on June 2nd - 4th, 2014 at Ithaca College, Ithaca, NY with a cost not to exceed \$537.00. The cost will be split with the Village of Orchard Park.

The resolution was unanimously adopted.

New Business #9 Adopt SEQR Determination for Weiss Avenue Reconstruction

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

WHEREAS, New York's State Environmental Quality Review Act (SEQR) requires all state and local government agencies to consider environmental impacts equally with social and economic factors during discretionary decision-making. The Town must assess the environmental significance of all actions they have discretion to approve, fund or directly undertake. Short Environmental Assessment Form has been completed, and

WHEREAS, the Orchard Park Engineering Department has determined that the Weiss Avenue Road Reconstruction project is classified as "Type II Actions" in accordance with section 617.5 (c) (5) of the SEQR regulations as replacements in kind. Actions that can be classified "Type II Actions" under the SEQR regulations do not require any further SEQR review, including an Environmental Assessment Form.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby adopt the Weiss Avenue Road Reconstruction Project to be classified as a "Type II Action" as the project will not have a significant impact on the environment and is precluded from further environmental review under New York State Environmental Conservation Law, article 8.

The resolution was unanimously adopted.

New Business #10 Appoint Position of Laborer in the Sewer Lighting & Water Department.

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

WHEREAS, that with James Putnam being hired as a police officer and Jordan Kellerman hired as Senior Engineer Assistant by the Engineering Department, the Sewer, Water and Lighting Department only has one employee remaining with a CDL license with tanker endorsement, and

WHEREAS, the Sewer, Water and Lighting Department employed three or more employees for the past 25 years with CDL licenses', which is required for the sewer jet truck operation. With the retirement of Rick Buss and James Putnam leaving, only two employees are left in the Department with a CDL license. If both employees are on vacation, out of Town, or sick there is no one in the Department left that has the required license. Crew Chief Dale Jolls has his permit but does not feel confident to take the driving test, and

WHEREAS, with Cmom being required in the Erie County District 3 Permit by NYSDEC, EPA Phase II regulations and the current public notification law adopted by New York State all SSO are reported and if not handled in a timely manner could result in fines or consent orders. Currently, several areas are maintained regularly with degreasers, jetting and or root cutting. Emergency blockages, if not opened, could surcharge and possibly flood basements with sanitary sewer effluent, and

WHEREAS, the Town of Orchard Park received 27 applications for the Sewer, Water, and Lighting Department positions, nine interviews were conducted with Dale Jolls, Crew Chief and the Town Engineer, who are recommending Theodore Chirico to the position of Laborer for the Sewer, Water, and Lighting Department, and

WHEREAS, Theodore Chirico, of 2879 Angle Road in Orchard Park has a permanent CDL Class B permit, OSHA safety training on work place safety, mobil crane safety training course, lift truck operator certification and is Hilti certified. Theodore is currently working for North East Mechanical as a HVAC Installer and Serviceman. Mr. Chirico is experienced in Electrical, Plumbing, Equipment Operator, Wood working and Auto & Equipment Mechanics. Theodore will need to pursue tanker endorsement with his CDL License, and

WHEREAS, With the current work load of the Department and the availability of Theodore Chirico to start on May 30, 2014 and the health insurance start date requirements I am requesting the amendment of the start date from June 4, 2014 to May 30, 2014.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board does hereby appoint Mr. Theodore Chirico, 2879 Angle Road, Orchard Park, NY 14127 to the position of Laborer in the Sewer, Water, and Lighting Department at job level 1, Step 1 \$18.69/hr. of the union wage rate schedule, effective May 30, 2014, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #11 Appoint Seasonal Position in the Sewer Lighting & Water Department

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

WHEREAS, funds have been allocated in the 2014 budget for two seasonal employees in the Sewer, Lighting & Water Department. Michael Cavanagh who worked for the Sewer Water & Lighting Department in the past and was appointed on April 1, 2014 has left the Department for a Corrections position. Andrew W. Bieler has worked for the Maintenance Department as a seasonal employee in the past has applied this year for the Sewer, Lighting and Water position. Andrew is attending Erie Community College for a degree in Criminal Justice and plans to return to school this fall.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby appoint Mr. Andrew W. Bieler, 7245 Gartman Road, Orchard Park, New York 14127, to a seasonal position in the Sewer, Lighting & Water Department for approximately a twenty-five week period beginning May 23, 2014 at a wage rate of \$9.50/hour, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #12 Authorize Supervisor to Sign Contract with Robert J. Gill, Architect P.C.

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

WHEREAS, we have received a proposal for Architectural Services for the 2014 Municipal Building Repairs Project from Robert J. Gill Architects. This work would involve the development of Repair Design and Construction Documents based on the preliminary scope of work developed by the Engineering Department with input from the various departments and Town Board capital Projects meeting (attached). Mr. Gill has worked for the Town in the past and successfully completed the design of the Police Department Alterations Project in 2007, and

WHEREAS, Town Engineer Wayne Bieler has met with representatives of the firm to review contract language, define a scope of services and negotiate an appropriate fee structure. The Town Engineer does believe that the proposed scope of services and agreement with Robert J. Gill Architects is more than satisfactory and will accomplish the goals of the project as set forth by the Town. The work has been organized into two major work elements; Preliminary Design and Construction Documents. The Engineering Department will handle all project administration and the bidding process, including copies of the plans and specifications. Attached is a detailed breakdown of the proposed work and charges by Robert J. Gill Architects. The proposed fee schedule is \$12,400.00 for base general services, \$1,000.00 for any structural analysis needed and \$1,000.00 for contingent expenses.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the Supervisor to sign an agreement with Robert J. Gill Architects, 126 South Prince Drive, Depew, New York 14043 to provide professional services for Design and Construction Documents for the 2014 Municipal Building Repairs in the amount not to exceed \$14,400.00, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #13 Approve Permanent Civil Service Appts. Senior Engineering Assistant Positions

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

WHEREAS, on October 12, 2011 the Town of Orchard Park called for the Senior Engineering Assistant list and canvassed the list which listed one person, who declined the position. On April 18, 2012 the Town of Orchard Park called for the Principal Engineering Assistant list and canvassed the list which consisted of eight candidates of which four declined and four were interviewed. In addition five potential candidates for the Senior Engineering Assistant position were interviewed, and

WHEREAS, Erie County Department of Personnel requested New York State Department of Civil Service to prepare an open competitive examination which was scheduled for the Town of Orchard Park for September 21, 2013. The position was certified that the appropriate civil service title for the position of Senior Engineer Assistant for the Town of Orchard Park based on job classifications and duties is correct. Exam results ranked Dean Franklin 3rd on the County list, and

WHEREAS, on May 16, 2012 Dean Franklin was appointed provisional upon meeting civil service rules and regulations. That appointment filled a vacancy that started in 2005 for the Engineering Department with the retirements of Greg Graham, John Wilson, Larry Holtz, Dave Yates, Mike Wilson and Dan Hammond and per the August 15, 2007 Town Board meeting and Town Board May 9, 2012 work session the Board approved the filling of the formal vacant Senior Engineer Assistant position, and

WHEREAS, the work includes the following: full performance knowledge, skills, abilities and personal characteristics; good knowledge of; techniques terminology and equipment of drafting, engineering field and survey techniques, mathematics as applied to engineering; ability to perform; moderately difficult mathematical computations rapidly and accurately, complete designs utilizing a computer (AUTOCAD) and perform pre-professional engineering research, prepare reports, and understand and follow detailed oral /written instructions.

WHEREAS, after interviewing several candidates responding to the advertisements and postings, Town Engineer Bieler has concluded that the best-qualified individual for the position is Dean Franklin.

WHEREAS, Mr. Franklin has worked assisting in survey layout work and CADD drafting since 1994 and completed various projects for various agencies and companies, including his current Town of Grand Island Senior Engineering Assistant position, since March 2011. Dean has accepted the challenge of the added duties and responsibilities of this position with enthusiasm and has performed his assignments with diligence and effectiveness. Reference checks have confirmed Dean Franklin has completed his duties, as stated from his former employers, has performed his assignments with diligence and effectiveness, and has proven to be a dedicated and dependable employee and received excellent recommendations from previous employers.

WHEREAS, funding for the Senior Engineering Assistant position is included in the Engineering Department budget. Per the white collar union contract, Dean Franklin, Senior Engineer Assistant Step B wage of \$24.12/hr is proposed.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby appoint Mr. Dean Franklin, 20 Allen Street, Gowanda, N.Y. 14070, to the permanent position of Senior Engineering Assistant at the range 0009, Step B of union wage schedule effective May 21, 2014 meeting all Civil Service rules and regulations, and

WHEREAS, on August 6, 2013 Jordan Kellerman was appointed provisional pending meeting civil service rules and regulations. This appointment filled a vacancy that started in 2005. There have been vacancies in the Engineering Department with the retirements of Greg Graham, John Wilson, Larry Holtz, Dave Yates, Mike Wilson and Dan Hammond, and

WHEREAS, Erie County Department of Personnel had requested New York State Department of Civil Service to prepare a promotional and open competitive examination which was scheduled for September 21, 2013. Position was certified that the appropriate civil service title of Senior Engineer Assistant for the Town of Orchard Park based on job classifications and duties is correct. Exam results ranked Jordan Kellerman 2nd on the Town of Orchard Park List, and

WHEREAS, the Senior Engineer Assistant assists in the preparation of engineering estimates; participates in surveys of physical features and stakeouts by assembling and operating equipment, taking measurements, placing stakes, holding level rod, taking sightings, and making and checking computations; conducts final survey parties or other field surveys; plots survey results manually or through the use of a computer; prepares tracings and drawings, utilizing a computer or conventional drafting techniques; operates a laboratory to test materials and gathers field samples; files drawings, engineering records and specifications; contacts vendors on engineering data and specifications; inspection of construction projects, takes measurements, calculates and records quantities; enters, checks and/or maintains data for monthly estimate payments; records other pertinent field data such as men, equipment, materials and weather, etc.; may be required to perform routine computer operation and programming; collects and organizes data related to sewer permits, house connections and related data; performs other engineering tasks consistent with design and construction projects, and

WHEREAS, after receiving ten applications and interviewing six candidates responding to the advertisements, postings and scoring in the top three on the exam, Town Engineer Bieler has concluded that the best-qualified individual for the position is Jordan Kellerman. Mr. Kellerman has an A.A.S. in Construction Management from Erie Community College and has worked assisting the Engineering Department in survey work and construction inspection in the past. Jordan has accepted the challenge of construction inspection duties and responsibilities with enthusiasm and has performed his assignments with diligence and effectiveness. With the Sewer Water & Lighting Department, Jordan had proven to be a dedicated and dependable employee, and

WHEREAS, per the Human Resource Department, Jordan's pension is not affected. His anniversary date for the White Collar Union contract will be his start date with the Engineering Department, health insurance, sick time, vacation time and longevity will be per the white collar contract and his original start date with the Town. Jordan Kellerman has accepted the new position conditioned upon his position in the Sewer, Water and Lighting Department be maintained in the event he does not meet all civil service conditions or the six-month probationary period. His three weeks of vacation longevity and banked sick days will carry to the Engineering Department and will increase per the White Collar contract with only the new anniversary date affecting his seniority with the White Collar, and

WHEREAS, funding for the Senior Engineering Assistant position is included in the Engineering Department budget. Per the white collar union contract, Jordan Kellerman, Senior Engineer Assistant level 0009 Range D wage of \$25.38/hr is proposed, which was the next step above his current salary, or an increase of fifty three-cents per hour.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby appoint Mr. Jordan Kellerman, 2 Cherokee Drive, West Seneca, NY 14224 to the permanent position of Senior Engineer Assistant in the Orchard Park Engineering Department at Level 0009, Range D of the union wage rate schedule, effective May 21, 2014 meeting all Civil Service rules and regulations.

The resolution was unanimously adopted.

Refer to the Planning and/or Conservation Boards

New Business #14 West Herr Automotive Group Request Expansion

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

RESOLVED, that the Town Board does refer the West Herr Automotive Group's request to expand the used vehicle operation adjacent to West Herr Chrysler-Jeep. This expansion would be for display and sale of used vehicles, at 3621 Southwestern Blvd. to the Planning and Conservation Boards

The resolution was unanimously adopted.

New Business # 15 Request for Perpetual Conservation Easement

This Item Was Tabled

BUSINESS FROM THE FLOOR

David Schuster – Mr. Schuster thanked the Town Board for voting not in favor of the Soccer Training Facility. He also thanked Highway Superintendent for a successful "Free Compost Day".

David Jensen – Mr. Jensen stated that he had concerns about the following items: a garage roof in disrepair on North Buffalo Street, property on Big Tree Road where a house has been removed and it has not been filled in, a tree down on Hart Place and it has not been picked up, and open dumpsters and propane cylinders at the rear door of Tops Market on Southwestern Blvd. He asked if all the applicants for the Laborer position in the Sewer & Water Department were interviewed.

Tom Capell – Mr. Capell asked if the speed limit on Freeman Road can be lowered.

ELECTED OFFICIALS & DEPARTMENT HEADS

Supervisor Keem – He reported that the Town Board reviewed the contract with AT&T and decided to change to Time Warner for the Town's internet for faster service and a substantial savings.

Councilmember Majchrzak – He commented on the vote concerning the Soccer Training Facility. He stated that he took into consideration that if the rezoning was approved, the next step would cost the petitioner tens of thousands of dollars, and it still may not be approved. This was a factor in his decision.

Councilmember Sherry – He wanted to thank Building Inspector Andy Geist for his help when he asked him to check on some information concerning a request from a citizen. He went above and beyond the call of duty and Councilmember Sherry wanted to relate that this is the kind of service that makes our community what it is and the type of excellent services that the Town's many departments provide.

Police Chief Pacholec – He stated that there will be extra patrols with the upcoming Memorial Day. There will be officers in training from Erie County learning how to conduct check points. He gave the traffic route of the Memorial Day Parade and the street closures.

Highway Superintendent Piasecki – He reported on street sweeping, drainage, flower planting, and the compost weekend which brought in \$3,900.

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

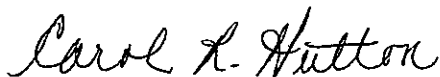
RESOLVED, that the Town Board does hereby authorize the approval of all entries on Warrant #10 following auditing by members of the Town Board and in the funds indicated:

General Fund	\$19,490.18
Public Safety Fund	\$83,941.72
Part Town Fund	\$855.21
Risk Retention	\$25,000.00
Cemetery Fund	0.00
Highway Fund	\$20,253.69
Special Districts	\$3,112.77
Trust & Agency	\$891.00
Capital Fund	\$40,896.89

The resolution was unanimously adopted.

There being no further business, on a motion by Supervisor Keem, seconded by Councilmember Majchrzak, the meeting adjourned at 7:57 pm (local time).

Respectfully Submitted,



Carol R. Hutton
Town Clerk