

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 19th day of December, 2012 at 7:00 PM, the meeting was called to order by Supervisor Colarusso and there were:

PRESENT AT ROLL CALL:

Janis Colarusso	Supervisor
David Kaczor	Councilmember
Eugene Majchrzak	Councilmember
Carol Hutton	Town Clerk
John C. Bailey	Town Attorney
Frederick Piasecki, Jr.	Highway Superintendent
Wayne Bieler	Town Engineer
Andrew Geist	Building Inspector
Andrew Benz	Chief of Police

Supervisor Colarusso 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 COUNCILMEMBER KACZOR, WHO MOVED ITS ADOPTION, SECONDED BY SUPERVISOR COLARUSSO, TO WIT:

RESOLVED, that the Regular Town Board Meeting minutes held on December 5, 2012, 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.

PUBLIC HEARING: Town of Orchard Park Time Keeping Policy Public Hearing – Tabled

New Business #1 Appointments to the Recreation Department

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

RESOLVED, that the Town Board does hereby make the following Fall, Winter, Spring Seasonal part time Staff Appointments

<u>Name</u>	<u>Address</u>	<u>Rate</u>	<u>Position(Title*)</u>
Emily Rattanaphasouk	6150 Lake Ave	\$8.50	PT1-E (Aide)

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

The resolution was unanimously adopted.

New Business #2 Town Board to Hold Executive Session

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

RESOLVED, that the Town Board will move into Executive session, Thursday, December 27th 2012 at 5:00 pm to interview candidates for Chief of Police.

The resolution was unanimously adopted.

New Business #3 Approve Change Order #1 with Fairway Contracting, Inc.

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

WHEREAS, the Engineering Department is requesting your approval of a Change Order to the contract with Fairway Contracting for the fire hydrant repair at 3565 South Benzing Road in the amount of \$2,103.98. If approved, this would increase the total contract amount to \$7,153.98, representing an increase of 42% and;

WHEREAS, this Change Order is requested to perform the additional work not covered under their contract that involves the removal and replacement of the existing fire hydrant valve. Once the fire hydrant was excavated for replacement, it was determined that the existing valve was a mechanical joint by flange fitting, which can no longer used, resulting in the need for mechanical connections per the Town and Erie County Water Authority standards and;

WHEREAS, Capital Account H-48 "Town Wide Water Improvements" currently has funding to cover cost.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby approve a change order to our contract with Fairway Contracting for the Fire Hydrant J15-F31 Replacement at 3565 South Benzing Road in the amount of an increase of \$2,103.98.

The resolution was unanimously adopted.

New Business #4 Authorize Advertisement for Public Information Meeting

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

WHEREAS, as requested the Town of Orchard Park Engineering Department has completed a power point presentation of the Bussendorfer/Forsythia/Brush Mtn. Drainage study for a public information meeting.

WHEREAS, as you may recall the Town of Orchard Park Town Board included the funding for the first phase of the project, which is a retention basin in Brush Mountain Park with the 2012 bond resolution.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby recommend that you schedule a public information meeting for the above-mentioned project on Tuesday, January 14, 2013 at 6:30 PM in the Basement Meeting Room of the Municipal Center, S-4295 South Buffalo Street to discuss the project. All interested parties are invited to attend.

The resolution was unanimously adopted.

New Business #5 Award Bid For Orchard Park Library Flag Pole Lighting Project

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

WHEREAS, Bids were solicited for the Orchard Park Library Flag Pole Lighting project.

WHEREAS, the project scope of work includes the installation of (1) 400w MH flood fixture for flag pole illumination, wire and miscellaneous conduit fittings, pole to library, dusk-to-dawn sensor, mounted on library building to control fixture, (2) replacement fuses, drilling through concrete and completing connection in the crawl space. The Town of Orchard Park Sewer, Water and Lighting Department installed the conduit from the building to the flag pole and will excavate at the ends for final connection.

WHEREAS, the low bidder for the project is Warning Electrical Services with an estimated cost between \$800 to \$1,000.00.

WHEREAS, the Engineering Department has worked previously with this contractor on similar projects in the past and they are more than capable of completing this project. I have no reservation about their capabilities.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby award the contract for the Orchard Park Library Flag Pole Illumination Project, to the lowest responsible bidder, Warning Electrical Services, 431 Olean Road, East Aurora, New York 14052 in the amount not to exceed \$1,000.00.

The resolution was unanimously adopted.

New Business #6 Award Bid for Hydrant Replacement

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

WHEREAS, the Erie County Water Authority (ECWA) has requested that the Town replace a fire hydrant located at 7793 Michael Road through correspondence on August 16, 2012. A scope of work was generated and five construction companies were solicited to perform the work described for which two have responded with cost estimates and;

WHEREAS, the Town is required to incur the costs for such repairs or replacements of defective fire hydrants per the Town Attorney and lease management agreement between the Town of Orchard Park and ECWA and;

WHEREAS, Capital Account H-48 "Town Wide Water Improvements" currently has funding to cover the repair.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby recommend that you award the contract for L15-A06 Fire Hydrant Replacement (7793 Michael Road) to Fairway Construction, 5389 South Freeman Road, Orchard Park, NY 14127 in an amount of \$6,789.50.

The resolution was unanimously adopted.

New Business #7 Authorize Six Part time Public Safety Dispatchers

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

RESOLVED, that the Town Board authorize the Chief of Police Andy Benz to hire 6 new part time non-competitive Public Safety Dispatchers, pay range PT 0003, \$13.15, for the first year.

The resolution was unanimously adopted.

New Business #8 Authorize Supervisor to sign Contract of Sale

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

WHEREAS, the Town of Orchard Park is a Town of the First Class, and

WHEREAS, after considerable study and evaluation of the proposal to sell property at 4248 South Taylor Road, owned by the Town of Orchard Park, determination has been made that such property should be sold.

NOW, THEREFORE, BE IT

RESOLVED, pursuant to the provisions of §64-2 of the Town Law, subject to a permissive referendum, that the property located at 4248 South Taylor Road, owned by the Town of Orchard Park; approximately 65' by 150' parcel of property, in the Town of Orchard Park, County of Erie, State of New York, to be sold pursuant to the terms of a Contract which is on file in the Town Clerk's Office and available for inspection during normal business hours, and be it further

RESOLVED, that the Supervisor of the Town of Orchard Park is hereby authorized and directed to sign the aforementioned Sales Contract, and be it further

RESOLVED, that pursuant to §90 of the Town Law that within ten (10) days from the date of this resolution the Town Clerk shall post and publish a notice which shall set forth the date of adoption of the resolution, shall contain an abstract of such resolution concisely setting forth the purpose and effect thereof, shall specify that this resolution was accepted to a permissive referendum; and shall publish such notice in the official newspaper of the Town of Orchard Park,

and that in addition thereto that the Town Clerk shall post on the sign board of the Town of Orchard Park, a copy of such notice within ten (10) days after the date of the adoption of this resolution.

The resolution was unanimously adopted.

BUSINESS FROM THE FLOOR

No One Spoke

ELECTED OFFICIALS & DEPARTMENT HEADS

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

RESOLVED, that the Town Board does hereby announce that the 2013 Organizational Meeting will be held on Wednesday, January 2, 2013 at 6:00 pm and the first regular Town Board Meeting will begin right after, with the work session to begin at 5:15pm.

The resolution was unanimously adopted.

Councilmember Kaczor stated that the Orchard Park Youth Bureau Court is looking for students, between the ages of 12 and 17, who would like to serve on the Youth Court. Any student that is interested in participating has to attend one of the two scheduled meetings in the Town Hall with a parent or guardian. The meetings are schedule for 10:00AM in the Court Room on January 5th and January 12th. Councilmember Kaczor said the Recreation Department is starting to accept applications for their summer recreation programs. Merry Christmas

Councilmember Majchrzak wished everyone Happy Holidays and wished to remind everyone of the New Years Eve celebration to be held in the Village.

Chief Andy Benz wished everyone a safe and Happy Holidays and he stated that the New Year's Celebration is from 10:00PM to 1:00AM, and N. Buffalo St. to Princeton will be closed for the festivities.

Highway Superintendent Fred Piasecki wished everyone Happy Holidays.

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

RESOLVED that the Town Board does hereby authorize the approval of all entries on Warrants #24 following auditing by members of the Town Board and in the funds indicated:

General Fund	\$50,984.42
Public Safety Fund	\$22,101.06
Part Town Fund	\$775.26
Risk Retention	\$0.00
Cemetery Fund	\$0.00
Highway Fund	\$39,631.25
Special Districts	\$59,950.16
Trust & Agency	\$6,707.38
Capital Fund	\$35,322.74

The resolution was unanimously adopted.

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

RESOLVED, that the Town Board does hereby receive and file the following Communication:

Troy & Banks' electric & gas department has completed their portion of the energy audit. They have fully reviewed the Town's electric & gas account for accuracy and their analysis has determined that there are no errors to be identified at this time. Troy & Bank's is located at 2216 Kensington Ave, Buffalo, NY 14226.

The resolution was unanimously adopted.

There being no further business, on motion by Supervisor Colarusso, seconded by Councilmember Majchrzak, the meeting was adjourned at 7:18 PM (local time).

Respectfully Submitted,



Carol R. Hutton
Town Clerk