

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 3rd day of May 2017 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 COUNCILMAN MAJCHRZAK, TO WIT:

RESOLVED, that the Town Board does hereby approve the Regular Town Board Meeting Minutes held on April 19, 2017, Executive Sessions: April 19 & 26, 2017, 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

At 7:10 PM (local time) Supervisor Keem called for the Public Hearing to hear all interested parties for or against the Local Law 1-2017 to Establish a Moratorium on the Expansion of Parking Facilities around New Era Field (formally known as Ralph Wilson Stadium).

Affidavits and Publication of the Legal Notice of the Public Hearing were presented, posted on line and filed with the Town Clerk.

Supervisor Keem asked if there was anyone in the audience who would like to speak for or against the proposed local law.

The following people came forward in favor of the Local Law: William Young, Debbie May, Lisa Young, Joan Aeschbach. The consensus of the residents is there are enough public and private lots, and would like to maintain the residential neighborhoods instead of allowing more private lots. Future consideration should be made if owners use their lots for parking in residential zones. It is an eye sore when houses are demolished, empty lots appear when cones and ropes and litter are scattered in the area round the stadium.

No one came forward in opposition of the Local Law.

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

RESOLVED, that the Public Hearing in the matter of the proposed hearing is hereby closed at 7:23 PM.

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

WHEREAS, the Public Hearing was held on for the Local Law Establishing a Moratorium on the Expansion of Parking Facilities around New Era Field at which all interested parties were given an opportunity to be heard.

NOW, THEREFORE, it be

RESOLVED, that the Town Board does hereby adopt Local Law No. 1 of the Year 2017 as follows:

A LOCAL LAW TO ESTABLISH A MORATORIUM ON THE EXPANSION OF PARKING FACILITIES AROUND NEW ERA FIELD (FORMERLY KNOWN AS RALPH WILSON STADIUM)

SECTION I: PURPOSE AND INTENT

The purpose of this Local Law is to establish a moratorium on the expansion either by footprint size or by number of cars parked of private parking areas, residential and commercial, within a one mile radius from the center of New Era Field (formerly known as Ralph Wilson Stadium and hereinafter referenced as "FOOTBALL FIELD"). No new commercial permits shall be granted pursuant to §144-12 of the Town of Orchard Park Code for commercial lots and the expansion of residential parking lots either by footprint or number of cars shall also be proscribed during the term of this moratorium.

SECTION II: AUTHORITY

This Local Law is enacted pursuant to the granted powers to local governments provided in Section 10 of the Municipal Home Rule Law to adopt and amend local laws not inconsistent with the provision of the New York State Constitution and not inconsistent with any general law relating to its property, affairs, government, or other subjects provided for in said Section 10 of the Municipal Home Rule Law.

SECTION III: DEFINITIONS

As used in this local law, the following terms shall have the meanings indicated:

A. RESIDENTIAL PARKING LOTS AND COMMERCIAL PARKING LOTS - will be as defined under §144-12 of the Code of Orchard Park.

SECTION IV: MORATORIUM, RESTRICTIONS, AND PROHIBITIONS

From the effective date of this Local Law forward until the next to occur if (i) the repeal of this Local Law, (ii) the enactment of this Local Law by the TOWN regulating "FOOTBALL FIELD" parking lots, or (iii) the date one (1) year from the date of this enactment of this Local Law, it shall be unlawful for any person to expand a parking lot, residential or commercial, by number of cars parked or increasing the size of the footprint within a one mile radius of the "FOOTBALL FIELD".

SECTION V: APPEAL

In the event that any owner of any property located in the TOWN determines that they are aggrieved by the moratorium imposed by this Local Law, said owner may apply to the TOWN'S Board of Zoning Appeals to seek an area variance for the expansion of a subject parking lot on their property, and the Board of Zoning Appeals shall review such appeal in accordance with the procedural and substantive requirements of an area variance appeal.

SECTION VI: GRANDFATHER CLAUSE

The enactment of this moratorium will affect any new application received on or after April 19, 2017. Any application received prior to this date will be "grandfathered" from this moratorium and will be processed under the existing regulations. Any application received on or after this date will not be processed and no approvals or permits will be issued.

SECTION VII: PENALTIES FOR OFFENSES

Any person who themselves, or by an agent or employee, shall violate any provisions of this Local Law shall be guilty of a violation and subject to a fine of not less than \$100 and not more than \$500 per offense. Each day's violation shall constitute a separate offense.

SECTION VIII: SUPERSEDING EFFECT

All Local Laws, Articles, resolutions, rules, regulations, and other enactments of the Town of Orchard Park in conflict with the provisions of this Local Law are hereby superseded to the extent to give this Local Law full force and effect. Without limiting the foregoing to any extent that the terms of the Zoning Ordinance are deemed to be in conflict with the moratorium imposed by this Local Law, the terms of this Local Law shall govern and control.

SECTION IX: EXTENSION OF THE MORATORIUM

At the discretion of the Town Board, this moratorium may be extended for at least one (1) additional six (6) month period, after proper notice and a public hearing, to be held within forty-five (45) days prior to the expiration of said moratorium period.

SECTION X: PARTIAL AND INVALIDITY

In the event that any portion of this Local Law is declared invalid by a Court of Competent Jurisdiction, the validity of the remaining portion shall not be affected by such declaration of the validity.

SECTION XI: EFFECTIVE DATE

This Local Law shall be effective immediately upon the filing in the Office of the New York Secretary of State except that it shall be effective from the date of its service as against a person served with a copy thereof, certified by the Town Clerk, and showing the date of its passage and entry in the minutes of the Town Board. } ?

The resolution was unanimously adopted.

Old Business # 1 Set Public Hearing for Rezoning of 4000 California Road from R-4 to I-1

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

RESOLVED, that the Town Board does hereby set a public hearing for June 7, 2017 at 7:00 pm in the matter of 4000 California Road, Zoned R-4, to rezone approximately 11 acres from R-4 to I-1.

The resolution was unanimously adopted.

New Business #1 Adopt Negative SEQRA Declaration for Various Bond Resolutions

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

RESOLVED, by the Town Board As Follows:

Section 1. The Town desires to undertake a certain capital improvement project at a maximum cost of \$3,750,000, as more particularly described in Section 3 hereof.

Section 2. The Town is hereby authorized to issue its serial general obligation bonds (the "Bonds") in the aggregate principal amount of not to exceed \$3,750,000 pursuant to the Local Finance Law of New York, in order to finance the class of objects or purposes described herein. The proposed maturity of the Bonds will exceed five (5) years.

Section 3. The class of objects or purposes to be financed pursuant to this Resolution (the "Purpose") consists of multiple components, including the repair, maintenance, and/or replacement of existing utility improvements, roads, buildings, and facilities, as well as the installation of certain improvements.

Section 4. Pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and the regulations of the Department of Environmental Conservation of the State of New York promulgated thereunder (collectively referred to hereinafter as "SEQRA"), the Town is required to make a determination with respect to the environmental impact of any "action" (as defined by SEQRA) to be taken by the Town and the Purpose constitutes such an action.

Section 5. To aid the Town in determining whether the Purpose may have a significant adverse impact upon the environment, the Town has prepared an Environmental Assessment Form (the "EAF").

Section 6. The Town has examined and reviewed the EAF in order to classify the Purpose and make a determination as to the potential significance of the Purpose pursuant to SEQRA.

Section 7. The Town hereby determines that while the majority of the components that comprise the Purpose constitute Type II Actions that do not require further review pursuant to SEQRA, the remainder of the components of the Purpose constitute an Unlisted Action.

Section 8. Based upon an examination of the EAF, the criteria contained in 6 NYCRR §617.7(c) (i.e., SEQRA), and based further upon the Town's knowledge of the area, and such further investigation of the Purpose and its environmental effects as the Town has deemed appropriate, the Town hereby determines that the Purpose will not have a significant effect on the environment, and the Town hereby issues a negative declaration for the Purpose pursuant to SEQRA, which shall be filed in the office of the Town in a file that is readily accessible to the public.

Section 9. This Resolution shall take effect immediately upon its adoption.

The Supervisor called for a roll call vote which resulted as follows:

Supervisor Keem	Aye
Councilman Majchrzak	Aye
Councilmember Sherry	Aye

The resolution was unanimously adopted.

New Business #2 Adopt \$500,000 Bond Resolution - Highways

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

WHEREAS, prior to the adoption of this Resolution, the Town of Orchard Park (the "Town") complied with the requirements of Article 8 of the Environmental Conservation Law of the State of New York, as amended, and the regulations of the Department of Environmental Conservation of the State of New York promulgated thereunder;

NOW THEREFORE be it

RESOLVED, by the Town Board of the Town of Orchard Park, Erie County, New York as follows:

Section 1. The Town shall reconstruct and resurface various Town highways and roads, including preliminary costs thereof and costs incidental thereto, at a maximum cost of \$500,000, as more particularly described in Section 3 hereof.

Section 2. The Town is hereby authorized to issue its serial general obligation bonds (the "Bonds") in the aggregate principal amount of not to exceed \$500,000 pursuant to the Local Finance Law of New York, in order to finance the class of objects or purposes described herein. The proposed maturity of the Bonds will be in excess of five (5) years.

Section 3. The class of objects or purposes to be financed pursuant to this Resolution (the "Purpose") is the reconstruction and resurfacing of various highways and roads, including sidewalks, curbs, gutters, drainage, landscaping, grading or improving the rights of way or eliminating any grade crossing or improvements in connection therewith and preliminary costs thereof and costs incidental thereto.

Section 4. It is hereby determined and declared that (a) the maximum cost of the Purpose, as estimated by the Town Board, is \$500,000, (b) no money has heretofore been authorized to be applied to the payment of the cost of the Purpose, and (c) the Town plans to finance the cost of the Purpose from funds raised by the issuance of the Bonds and bond anticipation notes hereinafter referred to.

Section 5. It is hereby determined that the Purpose is one of the class of objects or purposes described in Subdivision 20(c) of Paragraph 'a' of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of the Purpose is fifteen (15) years.

Section 6. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the sale of the Bonds, including renewals of such notes, is hereby delegated to the Supervisor of the Town, the chief fiscal officer.

Section 7. The power to further authorize the issuance of the Bonds and bond anticipation notes and to prescribe the terms, form and contents of the Bonds and bond anticipation notes, including the consolidation with other issues and determining whether to issue the Bonds with substantially level or declining annual debt service, subject to the provisions of this Resolution and the Local Finance Law, and to sell and deliver the Bonds and bond anticipation notes, is hereby delegated to the Supervisor of the Town. The Supervisor of the Town is hereby authorized to sign and the Town Clerk is hereby authorized to attest any Bonds and bond anticipation notes issued pursuant to this Resolution, and the Town Clerk is hereby authorized to affix to such Bonds and bond anticipation notes the corporate seal of the Town.

Section 8. The faith and credit of the Town of Orchard Park, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such Bonds and bond anticipation notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall be levied annually on all taxable real property of the Town, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 9. This Resolution shall constitute the Town's "official intent", within the meaning of Section 1.150-2 of the Treasury Regulations, to finance the cost of the Purpose with the Bonds and notes herein authorized. The Town shall not reimburse itself from the proceeds of the Bonds or notes for any expenditures paid more than sixty days prior to the date hereof, unless specifically authorized by Section 1.150-2 of the Treasury Regulations.

Section 10. This Resolution is adopted subject to a permissive referendum pursuant to Section 35.00 of the Local Finance Law and Section 90.00 of the Town Law. The Town Clerk is hereby authorized and directed within ten (10) days after the adoption of this Resolution, to cause to be published a notice which sets forth the date of this Resolution's adoption and contains an abstract of this Resolution concisely stating its purpose and effect.

Section 11. When effective, this Resolution shall be published in full by the Town Clerk together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, and such publication shall be in each official newspaper of the Town. The validity of the Bonds or of any bond anticipation notes issued in anticipation of the sale of the Bonds may be contested only if such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or the provisions of law which should be complied with at the date of publication of this Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 12. The firm Barclay Damon, LLP is hereby appointed to serve as Bond Counsel to the Town in connection with the Bonds and notes herein authorized.

Section 13. This Resolution is adopted subject to permissive referendum.

The Supervisor called for a roll call vote which resulted as follows:

Supervisor Keem	Aye
Councilman Majchrzak	Aye
Councilmember Sherry	Aye

The resolution was unanimously adopted.

New Business #3 Adopt \$400,000 Bond Resolution – Waterlines

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

WHEREAS, prior to the adoption of this Resolution, the Town of Orchard Park (the “Town”) complied with the requirements of Article 8 of the Environmental Conservation Law of the State of New York, as amended, and the regulations of the Department of Environmental Conservation of the State of New York promulgated thereunder;

NOW THEREFORE be it

RESOLVED, by the Town Board of the Town of Orchard Park, Erie County, New York as follows:

Section 1. The Town shall replace various waterlines, at a maximum cost of \$400,000, including preliminary costs and costs incidental thereto, as more particularly described in Section 3 hereof.

Section 2. The Town is hereby authorized to issue its serial general obligation bonds (the “Bonds”) in the aggregate principal amount of not to exceed \$400,000 pursuant to the Local Finance Law of New York, in order to finance the class of objects or purposes described herein. The proposed maturity of the Bonds will be in excess of five (5) years.

Section 3. The class of objects or purposes (the “Purpose”) to be financed pursuant to this resolution is the replacement of various waterlines, including preliminary costs and costs incidental thereto.

Section 4. It is hereby determined that said Purpose is an object or purpose described in subdivision 1 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is forty (40) years.

Section 5. It is hereby determined and declared that (a) the maximum cost of the Purpose, as estimated by the Town Board, is \$400,000, (b) no money has heretofore been authorized to be applied to the payment of the cost of the Purpose, and (c) the Town plans to finance the cost of the Purpose from funds raised by the issuance of the Bonds and bond anticipation notes hereinafter referred to.

Section 6. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the sale of the Bonds, including renewals of such notes, is hereby delegated to the Supervisor of the Town, the chief fiscal officer.

Section 7. The power to further authorize the issuance of the Bonds and bond anticipation notes and to prescribe the terms, form and contents of the Bonds and bond anticipation notes, including the consolidation with other issues and determining whether to issue the Bonds with substantially level or declining annual debt service, subject to the provisions of this Resolution and the Local Finance Law, and to sell and deliver the Bonds and bond anticipation notes, is hereby delegated to the Supervisor of the Town. The Supervisor of the Town is hereby authorized to sign and the Town Clerk is hereby authorized to attest any Bonds and bond anticipation notes issued pursuant to this Resolution, and the Town Clerk is hereby authorized to affix to such Bonds and bond anticipation notes the corporate seal of the Town.

Section 8. The faith and credit of the Town of Orchard Park, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such Bonds and bond anticipation notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall be levied annually on all taxable real property of the Town a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 9. This Resolution shall constitute the Town's "official intent", within the meaning of Section 1.150-2 of the Treasury Regulations, to finance the cost of the Purpose with the Bonds and notes herein authorized. The Town shall not reimburse itself from the proceeds of the Bonds or notes for any expenditures paid more than sixty days prior to the date hereof, unless specifically authorized by Section 1.150-2 of the Treasury Regulations.

Section 10. This Resolution is adopted subject to a permissive referendum pursuant to Section 35.00 of the Local Finance Law and Section 90.00 of the Town Law. The Town Clerk is hereby authorized and directed within ten (10) days after the adoption of said resolution, to cause to be published a notice which sets forth the date of the resolution's adoption and contains an abstract of the resolution concisely stating its purpose and effect.

Section 11. When effective, this Resolution shall be published in full by the Town Clerk together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, and such publication shall be in each official newspaper of the Town. The validity of the Bonds or of any bond anticipation notes issued in anticipation of the sale of the Bonds may be contested only if such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or the provisions of law which should be complied with at the date of publication of this Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 12. The firm Barclay Damon, LLP is hereby appointed to serve as Bond Counsel to the Town in connection with the Bonds and notes herein authorized.

Section 13. This Resolution is adopted subject to permissive referendum.

The Supervisor called for a roll call vote which resulted as follows:

Supervisor Keem	Aye
Councilman Majchrzak	Aye
Councilmember Sherry	Aye

The resolution was unanimously adopted.

New Business #4 Adopt \$200,000 Bond Resolution – Sewer Line Project

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

WHEREAS, prior to the adoption of this Resolution, the Town of Orchard Park (the "Town") complied with the requirements of Article 8 of the Environmental Conservation Law of the State of New York, as amended, and the regulations of the Department of Environmental Conservation of the State of New York promulgated thereunder;

NOW THEREFORE be it

RESOLVED, by the Town Board of the Town of Orchard Park, Erie County, New York as follows:

Section 1. The Town shall replace various sanitary sewer lines, at a maximum cost of \$200,000, including preliminary costs thereof and costs incidental thereto, as more particularly described in Section 3 hereof.

Section 2. The Town is hereby authorized to issue its serial general obligation bonds (the "Bonds") in the aggregate principal amount of not to exceed \$200,000 pursuant to the Local Finance Law of New York, in order to finance the class of objects or purposes described herein. The proposed maturity of the Bonds will be in excess of five (5) years.

Section 3. The class of objects or purposes (the "Purpose") to be financed pursuant to this resolution is the replacement of various sanitary sewer lines, including preliminary costs thereof and costs incidental thereto.

Section 4. It is hereby determined that said Purpose is an object or purpose described in subdivision 4 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is thirty (30) years.

Section 5. It is hereby determined and declared that (a) the maximum cost of the Purpose, as estimated by the Town Board, is \$200,000, (b) no money has heretofore been authorized to be applied to the payment of the cost of the Purpose, and (c) the Town plans to finance the cost of the Purpose from funds raised by the issuance of the Bonds and bond anticipation notes hereinafter referred to.

Section 6. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the sale of the Bonds, including renewals of such notes, is hereby delegated to the Supervisor of the Town, the chief fiscal officer.

Section 7. The power to further authorize the issuance of the Bonds and bond anticipation notes and to prescribe the terms, form and contents of the Bonds and bond anticipation notes, including the consolidation with other issues and determining whether to issue the Bonds with substantially level or declining annual debt service, subject to the provisions of this Resolution and the Local Finance Law, and to sell and deliver the Bonds and bond anticipation notes, is hereby delegated to the Supervisor of the Town. The Supervisor of the Town is hereby authorized to sign and the Town Clerk is hereby authorized to attest any Bonds and bond anticipation notes issued pursuant to this Resolution, and the Town Clerk is hereby authorized to affix to such Bonds and bond anticipation notes the corporate seal of the Town.

Section 8. The faith and credit of the Town of Orchard Park, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such Bonds and bond anticipation notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall be levied annually on all taxable real property of the Town a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 9. This Resolution shall constitute the Town's "official intent", within the meaning of Section 1.150-2 of the Treasury Regulations, to finance the cost of the Purpose with the Bonds and notes herein authorized. The Town shall not reimburse itself from the proceeds of the Bonds or notes for any expenditures paid more than sixty days prior to the date hereof, unless specifically authorized by Section 1.150-2 of the Treasury Regulations.

Section 10. This Resolution is adopted subject to a permissive referendum pursuant to Section 35.00 of the Local Finance Law and Section 90.00 of the Town Law. The Town Clerk is hereby authorized and directed within ten (10) days after the adoption of said resolution, to cause to be published a notice which sets forth the date of the resolution's adoption and contains an abstract of the resolution concisely stating its purpose and effect.

The Supervisor called for a roll call vote which resulted as follows:

Supervisor Keem	Aye
Councilman Majchrzak	Aye
Councilmember Sherry	Aye

The resolution was unanimously adopted.

New Business #5 Adopt \$600,000 Bond Resolution – Drainage

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

WHEREAS, prior to the adoption of this Resolution, the Town of Orchard Park (the "Town") complied with the requirements of Article 8 of the Environmental Conservation Law of the State of New York, as amended, and the regulations of the Department of Environmental Conservation of the State of New York promulgated thereunder;

NOW THEREFORE be it

RESOLVED, by the Town Board of the Town of Orchard Park, Erie County, New York as follows:

Section 1. The Town shall reconstruct the Town wide sanitary sewer drainage system, including preliminary costs thereof and costs incidental thereto, at a maximum additional cost of \$600,000, as more particularly described in Section 3 hereof.

Section 2. The Town is hereby authorized to issue its serial general obligation bonds (the "Bonds") in the additional aggregate principal amount of not to exceed \$600,000 pursuant to the Local Finance Law of New York, in order to finance the class of objects or purposes described herein. The proposed maturity of the Bonds will be in excess of five (5) years.

Section 3. The class of objects or purposes (the "Purpose") to be financed pursuant to this resolution is the construction and reconstruction of a Town wide sanitary sewer drainage system, including preliminary costs thereof and costs incidental thereto.

Section 4. It is hereby determined that the Project is one of the class of objects or purposes described in Subdivision 4 of Paragraph 'a' of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of the Project is thirty (30) years.

Section 5. It is hereby determined and declared that (a) the maximum cost of the Purpose, as estimated by the Town Board, is \$600,000, (b) no money has heretofore been authorized to be applied to the payment of the cost of the Purpose, and (c) the Town plans to finance the cost of the Purpose from funds raised by the issuance of the Bonds and bond anticipation notes hereinafter referred to and the bonds and notes authorized pursuant to the Resolution.

Section 6. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the sale of the Bonds, including renewals of such notes, is hereby delegated to the Supervisor of the Town, the chief fiscal officer.

Section 7. The power to further authorize the issuance of the Bonds and bond anticipation notes and to prescribe the terms, form and contents of the Bonds and bond anticipation notes, including the consolidation with other issues and determining whether to issue the Bonds with substantially level or declining annual debt service, subject to the provisions of this Resolution and the Local Finance Law, and to sell and deliver the Bonds and bond anticipation notes, is hereby delegated to the Supervisor of the Town. The Supervisor of the Town is hereby authorized to sign and the Town Clerk is hereby authorized to attest any Bonds and bond anticipation notes issued pursuant to this Resolution, and the Town Clerk is hereby authorized to affix to such Bonds and bond anticipation notes the corporate seal of the Town.

Section 8. The faith and credit of the Town of Orchard Park, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such Bonds and bond anticipation notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. Subject to the provisions of Chapter 97 of the Laws of 2011 of the State of New York, there shall be levied annually on all taxable real property of the Town a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 9. This Resolution shall constitute the Town's "official intent", within the meaning of Section 1.150-2 of the Treasury Regulations, to finance the cost of the Purpose with the Bonds and notes herein authorized. The Town shall not reimburse itself from the proceeds of the Bonds or notes for any expenditures paid more than sixty days prior to the date hereof, unless specifically authorized by Section 1.150-2 of the Treasury Regulations.

Section 10. This resolution is adopted subject to a permissive referendum pursuant to Section 35.00 of the Local Finance Law and Section 90.00 of the Town Law. The Town Clerk is hereby authorized and directed within ten (10) days after the adoption of said resolution, to cause to be published a notice which sets forth the date of the resolution's adoption and contains an abstract of the resolution concisely stating its purpose and effect.

Section 11. When effective, this Resolution shall be published in full by the Town Clerk together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, and such publication shall be in each official newspaper of the Town. The validity of the Bonds or of any bond anticipation notes issued in anticipation of the sale of the Bonds may be contested only if such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or the provisions of law which should be complied with at the date of publication of this Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 12. The firm Barclay Damon, LLP is hereby appointed to serve as Bond Counsel to the Town in connection with the bonds and notes herein authorized.

Section 13. This Resolution is adopted subject to permissive referendum.

The Supervisor called for a roll call vote which resulted as follows:

Supervisor Keem	Aye
Councilman Majchrzak	Aye
Councilmember Sherry	Aye

The resolution was unanimously adopted.

New Business #6 Adopt \$1,250,000 Bond Resolution – Rec Parks / Retaining Wall Project

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

WHEREAS, prior to the adoption of this Resolution, the Town of Orchard Park (the "Town") complied with the requirements of Article 8 of the Environmental Conservation Law of the State of New York, as amended, and the regulations of the Department of Environmental Conservation of the State of New York promulgated thereunder;

NOW THEREFORE be it

RESOLVED, by the Town Board of the Town of Orchard Park, Erie County, New York as follows:

Section 1. The Town shall reconstruct and renovate various parks, playgrounds and recreation areas, including preliminary costs and costs related thereto, at a maximum cost of \$1,250,000, as more particularly described in Section 3 hereof.

Section 2. The Town is hereby authorized to issue its serial general obligation bonds (the "Bonds") in the aggregate principal amount of not to exceed \$1,250,000 pursuant to the Local Finance Law of New York, in order to finance the class of objects or purposes described herein. The proposed maturity of the Bonds will be in excess of five (5) years.

Section 3. The class of objects or purposes to be financed pursuant to this Resolution (the "Purpose") is the reconstruction and renovation of various parks, playgrounds and recreation areas, including costs incidental thereto, including preliminary costs and costs related thereto.

Section 4. It is hereby determined and declared that (a) the maximum cost of the Purpose, as estimated by the Town Board, is \$1,250,000, (b) no money has heretofore been authorized to be applied to the payment of the cost of the Purpose, and (c) the Town plans to finance the cost of the Purpose from funds raised by the issuance of the Bonds and bond anticipation notes hereinafter referred to.

Section 5. It is hereby determined that the Purpose is one of the class of objects or purposes described in Subdivision 19(c) of Section 11.00(a) of the Local Finance Law, and that the period of probable usefulness of the Purpose is fifteen (15) years.

Section 6. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the sale of the Bonds, including renewals of such notes, is hereby delegated to the Supervisor of the Town, the chief fiscal officer.

Section 7. The power to further authorize the issuance of the Bonds and bond anticipation notes and to prescribe the terms, form and contents of the Bonds and bond anticipation notes, including the consolidation with other issues and determining whether to issue the Bonds with substantially level or declining annual debt service, subject to the provisions of this Resolution and the Local Finance Law, and to sell and deliver the Bonds and bond anticipation notes, is hereby delegated to the Supervisor of the Town. The Supervisor of the Town is hereby authorized to sign and the Town Clerk is hereby authorized to attest any Bonds and bond anticipation notes issued pursuant to this Resolution, and the Town Clerk is hereby authorized to affix to such Bonds and bond anticipation notes the corporate seal of the Town.

Section 8. The faith and credit of the Town of Orchard Park, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such Bonds and bond anticipation notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall be levied annually on all taxable real property of the Town, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 9. This Resolution shall constitute the Town's "official intent", within the meaning of Section 1.150-2 of the Treasury Regulations, to finance the cost of the Purpose with the Bonds and notes herein authorized. The Town shall not reimburse itself from the proceeds of the Bonds or notes for any expenditures paid more than sixty days prior to the date hereof, unless specifically authorized by Section 1.150-2 of the Treasury Regulations.

Section 10. This Resolution is adopted subject to a permissive referendum pursuant to Section 35.00 of the Local Finance Law and Section 90.00 of the Town Law. The Town Clerk is hereby authorized and directed within ten (10) days after the adoption of said resolution, to cause to be published a notice which sets forth the date of the Resolution's adoption and contains an abstract of the resolution concisely stating its purpose and effect.

Section 11. When effective, this Resolution shall be published in full by the Town Clerk together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, and such publication shall be in each official newspaper of the Town. The validity of the Bonds or of any bond anticipation notes issued in anticipation of the sale of the Bonds may be contested only if such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or the provisions of law which should be complied with at the date of publication of this Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 12. The firm Barclay Damon, LLP is hereby appointed to serve as Bond Counsel to the Town in connection with the Bonds and notes herein authorized.

Section 13. This Resolution is adopted subject to permissive referendum.

The Supervisor called for a roll call vote which resulted as follows:

Supervisor Keem	Aye
Councilman Majchrzak	Aye
Councilmember Sherry	Aye

The resolution was unanimously adopted.

New Business #7 Adopt \$800,000 Bond Resolution – Town Building Project

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

WHEREAS, prior to the adoption of this Resolution, the Town of Orchard Park (the "Town") complied with the requirements of Article 8 of the Environmental Conservation Law of the State of New York, as amended, and the regulations of the Department of Environmental Conservation of the State of New York promulgated thereunder;

NOW THEREFORE be it

RESOLVED, by the Town Board of the Town of Orchard Park, Erie County, New York as follows:

Section 1. The Town shall reconstruct and renovate various municipal buildings, including necessary site work, and acquire original furnishings, equipment, machinery or apparatus required for the purpose for which such reconstructed and renovated buildings are to be used, including preliminary costs and costs related thereto, at a maximum cost of \$800,000, as more particularly described in Section 3 hereof.

Section 2. The Town is hereby authorized to issue its serial general obligation bonds (the "Bonds") in the aggregate principal amount of not to exceed \$800,000 pursuant to the Local Finance Law of New York, in order to finance the class of objects or purposes described herein. The proposed maturity of the Bonds will be in excess of five (5) years.

Section 3. The class of objects or purposes to be financed pursuant to this Resolution (the "Purpose") is the reconstruction and renovation of various municipal buildings, including necessary site work, and acquisition of original furnishings, equipment, machinery or apparatus required for the purpose for which such reconstructed and renovated buildings are to be used, including preliminary costs and costs related thereto.

Section 4. It is hereby determined and declared that (a) the maximum cost of the Purpose, as estimated by the Town Board, is \$800,000, (b) no money has heretofore been authorized to be applied to the payment of the cost of the Purpose, and (c) the Town plans to finance the cost of the Purpose from funds raised by the issuance of the Bonds and bond anticipation notes hereinafter referred to.

Section 5. It is hereby determined that the Purpose is one of the class of objects or purposes described in Subdivision 12(a)(1) of Section 11.00(a) of the Local Finance Law, and that the period of probable usefulness of the Purpose is twenty-five (25) years.

Section 6. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the sale of the Bonds, including renewals of such notes, is hereby delegated to the Supervisor of the Town, the chief fiscal officer.

Section 7. The power to further authorize the issuance of the Bonds and bond anticipation notes and to prescribe the terms, form and contents of the Bonds and bond anticipation notes, including the consolidation with other issues and determining whether to issue the Bonds with substantially level or declining annual debt service, subject to the provisions of this Resolution and the Local Finance Law, and to sell and deliver the Bonds and bond anticipation notes, is hereby delegated to the Supervisor of the Town. The Supervisor of the Town is hereby authorized to sign and the Town Clerk is hereby authorized to attest any Bonds and bond anticipation notes issued pursuant to this Resolution, and the Town Clerk is hereby authorized to affix to such Bonds and bond anticipation notes the corporate seal of the Town.

Section 8. The faith and credit of the Town of Orchard Park, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such Bonds and bond anticipation notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall be levied annually on all taxable real property of the Town, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 9. This Resolution shall constitute the Town's "official intent", within the meaning of Section 1.150-2 of the Treasury Regulations, to finance the cost of the Purpose with the Bonds and notes herein authorized. The Town shall not reimburse itself from the proceeds of the Bonds or notes for any expenditures

paid more than sixty days prior to the date hereof, unless specifically authorized by Section 1.150-2 of the Treasury Regulations.

Section 10. This Resolution is adopted subject to a permissive referendum pursuant to Section 35.00 of the Local Finance Law and Section 90.00 of the Town Law. The Town Clerk is hereby authorized and directed within ten (10) days after the adoption of this Resolution, to cause to be published a notice which sets forth the date of this Resolution's adoption and contains an abstract of the resolution concisely stating its purpose and effect.

Section 11. When effective, this Resolution shall be published in full by the Town Clerk together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, and such publication shall be in each official newspaper of the Town. The validity of the Bonds or of any bond anticipation notes issued in anticipation of the sale of the Bonds may be contested only if such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or the provisions of law which should be complied with at the date of publication of this Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 12. The firm Barclay Damon, LLP is hereby appointed to serve as Bond Counsel to the Town in connection with the Bonds and notes herein authorized.

Section 13. This Resolution is adopted subject to permissive referendum.

The Supervisor called for a roll call vote which resulted as follows:

Supervisor Keem	Aye
Councilman Majchrzak	Aye
Councilmember Sherry	Aye

The resolution was unanimously adopted.

New Business #8 Award Bid for Yates Park Retaining Wall Landscape Project

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

WHEREAS, bids were opened for the Yates Park Retaining Walls Landscaping Project on May 1, 2017 consisting of the installation of 98 plantings along with all necessary mulch, fertilizer, and restoration required. The Town received three (3) bids with competitive numbers. Northridge Nursery submitted a cost of \$14,450.00, Valley View Nurseries submitted a cost of \$13,821.50, and T&R Seasonal Services submitted a cost of \$7,194.00. The low bidder's base bid of \$7,194.00 is below the construction estimate of \$9,500.00 for the project, and

WHEREAS, there is presently \$9,011.30 plus interest allocated under Capital Project #H90 "Green Lake & Thorn Ave Retaining Walls". The proposed 2017 bond resolution includes an additional \$100,000 which completely funds the existing work, as well as this project.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby award the contract for the Yates Park Retaining Walls Landscaping project to the lowest responsible bidder, T&R Seasonal Services, 6413 W. Quaker Rd., Orchard Park, NY 14127 in the amount not to exceed \$7,194.00, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #9 Agreement with GHD for Design of Pumping Station and Specification Project

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

WHEREAS, the Mid-County Sanitary Sewer Pumping Station is in need of total replacement. After careful review of an Elimination Evaluation completed by Conestoga-Rovers & Associates (currently GHD), it has been decided that the elimination of the station is not feasible and the station must be replaced, and

WHEREAS, the Engineering Department sent out a proposed scope of services for a complete replacement of the Mid-County Pumping Station, as well as updating the Town Standard Details & Specifications. GHD Inc. has returned a proposal to design the necessary pumping station, plumbing, stand-by generator, and all necessary appurtenances. The proposed scope includes updating the current Town Standards & Specifications for Sewage Pumping Stations as well as to provide a complete evaluation of the remaining Sewage Pumping Stations in Town. The scope of services and agreement with GHD Inc. is satisfactory and will accomplish the goals of the project as set forth by the Town, and

WHEREAS, there is presently \$398,576 plus interest allocated under Capital Project Z-77 for this project.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the Supervisor to sign an agreement with GHD Inc, 285 Delaware Avenue, Suite 500, Buffalo, NY 14202 to provide professional services for the Mid-County Pump Station Replacement Project for a fee not to exceed \$52,700.00, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #10 Approve Orchard Park Garden Club to use Municipal Center/Basement in August

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

WHEREAS, the Orchard Park Garden Club is requesting permission to hold a Full Standard Flower Show in the Municipal Center basement on Saturday and Sunday, August 26 and 27, 2017, and

WHEREAS, set up with Flower Show beginning at 9:00 Friday morning, August 25 and judging that afternoon, and

WHEREAS, the flower show will be open to the public on Saturday 10:00 – 4:00 and Sunday August 27, 2017 and dismantling and cleanup completed by 5:30 that evening. During flower show hours, the Orchard Park Garden Club will have hostesses scheduled to watch all areas during the show.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby approve the Orchard Park Garden Club to hold a Full Standard Flower Show in the Municipal Center basement from Friday August 25, 2017 through Sunday August 27, 2017.

The resolution was unanimously adopted.

New Business #11 Approve Special Events / Block Party Permits

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

RESOLVED, that the Town Board does hereby approve the following Special Events / Block Party Permits for: Food Truck in the 'Heights' / Pawtucket Park: Gourm Asian Bistro and Cheesecake Guy on May 3, 2017 and Chef's Food Truck on May 31, 2017, National Center for Missing and Exploited Children for its 11th Annual Ride for Missing Children on May 19, 2017, Nativity School Chase the Sun 5K on June 19, 2017, Athletes Unleashed, Wood Run II on June 30, 2017, pending receipts of fees and insurance certificates.

The resolution was unanimously adopted.

New Business #12 Approve the 2017 Stable Permits

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

RESOLVED, that the Town Board does hereby approve the 2017 Stable Permit for Skibbereen Farms, 5142 Bussendorfer Road.

The resolution was unanimously adopted.

New Business #13 Approve Summer Seasonal Staff for Parks & Grounds

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

RESOLVED, that the Town Board does hereby appoint Alexander Melendez seasonal to Parks & Grounds, at \$9.70 per hour, start date April 24, 2017.

The resolution was unanimously adopted.

New Business #14 Approve Temporary Replacement for Recreation Staff

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

WHEREAS, Kristin Santillo is presently serving in the capacity of Assistant Recreation Director at the Town Recreation Department and has given notice to the Director of the Recreation Department that she is planning a maternity leave, and

WHEREAS, Susan Hemmingway is presently serving the Recreation Department in the capacity of Part Time Recreation Assistant but is willing to temporarily expand her role on a temporary basis to cover Kristin Santillo's responsibilities.

NOW, THEREFORE, be it

RESOLVED that Susan Hemmingway is authorized to expand her role with the Town of Orchard Park Recreation Department during Kristin Saltillo's maternity leave, and be it further

RESOLVED, that during the period of Kristin Santillo's maternity leave, Susan Hemmingway's hourly rate will be increased to \$20/hour and her work hours shall be increased to 37.5 hours, and be it further

RESOLVED, when Kristin Santillo returns from maternity leave, Susan Hemmingway will return to her previous duties with hours and hourly rate to be returned to the same level she held before the maternity leave of Kristin Santillo.

The resolution was unanimously adopted.

New Business #15 Approve Seasonal Recreation Staff

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

RESOLVED, that the Town Board does hereby appoint staff to the Town of Orchard Park Recreation Department.2017 Spring Seasonal part time retroactive April 22, 2017.

Name	Rate	Position (Title*)
Carly Coppola	\$10.50	PT3-C (Att)
Erin O'Rourke	\$11.00	PT3-E (LG)
Caitlin O'Rourke	\$11.00	PT3-E (LG)
Olivia Sapio	\$11.00	PT3-E (LG)

The resolution was unanimously adopted.

New Business #16 Approve Seasonal Staff to Sewer, Water & Lighting

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

RESOLVED, that the Town Board does hereby appoint Morgan Cavanagh to summer staff to the Sewer, Water and Lighting Department, for a tentative period beginning May 15, 2017 at \$10.25 per hour.

The resolution was unanimously adopted.

New Business #17 Approve Seasonal Staff to the Engineering Department

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

RESOLVED, that the Town Board does hereby appoint summer staff to the Engineering Department, Julius Digennaro for a beginning May 22, 2017 at \$10.00 per hour, and David Wilday for a beginning May 22, 2017 at \$12.00 per hour.

The resolution was unanimously adopted.

New Business #18 Authorize Budget Amendment for CHIPS Funding

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

WHEREAS, the Town has received notification of Consolidated Highway Improvement Program aid of \$154,792.01 and a one-time additional appropriation of \$35,332.82 (PAVE NY) and \$27,865.21 (Extreme Winter Recovery) totaling \$217,990.04, and

WHEREAS, the Town's adopted budget for 2017 included such aid to be \$154,529 and

WHEREAS, the Town needs to adjust the budget to the level of aid awarded in order to appropriately authorize the expenditure of Town funds and the receipt of such State aid.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the following amendment of the Town's 2017 budget to appropriately adjust the amount of aid to be received and authorize additional appropriations for road improvement purposes:

Highway Fund:

Increase estimated revenues:

DA3501.005	State Aid – C.H.I.P.S. Program	\$ 63,461.04
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Increase appropriation account:

DA5112.200	Highway – Improvement Program	\$ 63,461.04
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The resolution was unanimously adopted.

New Business #19 Approve Budget Amendment for Veterans Memorial Park

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

WHEREAS, a resolution was adopted on November 16, 2016 that the Town of Orchard Park pledges ten-thousand dollars (\$10,000) to the Orchard Park Veterans Memorial Park Committee to be paid once work begins on renovating the Orchard Park Veterans Park, and

WHEREAS, the renovations have begun and the pledge is not included in the 2017 adopted budget, and

WHEREAS, the General Fund has unappropriated funds to cover such expenditures.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the following amendments to the Town's 2017 budget in the General Fund to provide funding for such expenditures:

General Fund:

Utilize unappropriated Fund Balance:

A.0000.0909	General Fund Balance	\$ 10,000
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Increase appropriation accounts:

A.7110.0419	Parks – Other Expenses	\$ 10,000
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The resolution was unanimously adopted.

New Business #20 Temporary Hire for Construction Inspector (Engineering)

24) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN MAJCHRAK, WHO MOVED ITS ADOPTION, SECONDED BY SUPERVISOR KEEM, TO WIT:

WHEREAS, the Town Board approved on March 1, 2017 the Public Improvement Permit #2017-01 for Knoche Farms Estates Subdivision. The developer of this subdivision applied for a public improvement permit this spring with the construction of new roads and utilities is underway, and

WHEREAS, at the present time, the Engineering Department does not have staff available for construction inspection on the project during Jordan Kellerman's FMLA for new child's birth, so the assistance of a consultant inspector will be required for this purpose, and

WHEREAS, Dan Hammond has inspected construction work for the Town of Orchard Park in the past as an employee and consultant and has proven to be very competent, and

WHEREAS, the Town has received \$52,750 in PIP and SWPPP inspection fees from the developers, which should be adequate to cover the costs of the consultant.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby approve the appointment of Dan Hammond to provide construction inspection services on PIP#2017-01 for Knoche Farm Estates at a billing rate of \$31.00/hr.

The resolution was unanimously adopted.

BUSINESS FROM THE FLOOR

Tom Pielzynski spoke about the food truck event at the Town Park: Pawtucket Park that received permission at today's meeting to hold a food truck event, which he is opposed to.

Chris Weyer spoke about the large amount of brush up in Eagle Heights and the safety hazard when people put their brush in the street. There are no sidewalks in Eagle Heights and no street lights and it is dangerous for both pedestrians and drivers. She would like to see a 2 week pick up schedule in Eagle Heights to make the roads safer.

William Young stated that when 109 Oakwood Street was demolished, not sure what happened to the drainage pipe. There was never any drainage issues with this property, but with recent heavy rain, the property is now flooding into a neighbor's yard. Concerned that the new property owner will add stone or pave the lot, and it will continue to flood if a heavy rain.

ELECTED OFFICIALS & DEPARTMENT HEADS

Supervisor Keem read this proclamation for Municipal Town Clerks Week into the record:

WHEREAS, the Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world; and

WHEREAS, the Office of the Municipal Clerk is the oldest among public servants; and

WHEREAS, the Office of the Municipal Clerk provides the professional link between citizens, the local governing bodies and agencies of government at other levels; and

WHEREAS, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and

WHEREAS, the Municipal Clerk serves as the information center of functions of local government and community; and

WHEREAS, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meeting of their state, province, county and international professional organizations; and

WHEREAS, it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

NOW, THEREFORE, be it

RESOLVED, that the Erie County Town Clerk and Tax Collectors Association, hereby recognize the week of May 7 through May 13, 2017 as Municipal Clerk's Week and further extends appreciation to Orchard Park Town Clerk, Remy Orffeo and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Supervisor Keem personally thanked Town Clerk Remy Orffeo for his work in the office of the Town Clerk.

Councilman Sherry responded to Mr. & Mrs. Young about the flooding on Oakwood, that Town Engineer Wayne Bieler or Highway Superintendent Fred Piasecki would look into the drainage and flooding issue.

Town Attorney John Bailey commented that Local Law 1-2017 is a one year moratorium on the expansion of any parking lots or the creation of one. For further explanation, part of the moratorium is the sanction (violation) prohibiting expansion of a parking lot including a fine per offence, and each day is a separate violation. No expansion is to happen in any lot, and if there is, a criminal and civil sanction applies.

Police Chief Pacholec commented regarding stadium incidents that residents should call police. Regarding brush pick up it is illegal to have brush in the street, which is a safety issue and if an accident takes place as a result of brush in the roadway, it is a liability with the homeowners.

Highway Superintendent Piasecki outlined the current activities of the Highway Department, and the town brush contractor started on May 1 through October 31. Regarding drainage, receiver lines have been identified that have limited flow to see if there is any blockage that needs to be addressed. Other activities including milling and paving various roads in the community. Saturday Compost hours start on May 6, 2017, and a reminder that one free yard of mulch is May 13, 2017.

APPROVAL OF BILLS

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

RESOLVED, that the Town Board does hereby authorize the approval of all entries on Warrant # 9 following auditing by members of the Town Board and in the funds indicated:

General Fund	\$93,440.45
Public Safety Fund	\$16,262.83
Part Town Fund	\$91.50
Risk Retention	\$0
Cemetery Fund	\$0
Highway Fund	\$19,490.53
Special Districts	\$140,385.46
Trust & Agency	\$1,630.00
Capital Fund	\$0

The resolution was unanimously adopted.

COMMUNICATIONS

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

1. Orchard Park Little League will hold their Opening Day Parade Saturday May 6, 2017 starting at 10:30am from the Middle School Parking Lot to the Thorn Avenue entrance at the ball diamonds.
2. County of Erie foreclosure list, on file in the Town Clerk's Office.
3. West Seneca Central School District proposed 2017-2018 budget for public review in the Town Clerk's Office.
4. Governmental Insurance Disclosure Statement.

RESOLVED, that the Town Board does hereby receive and file the communications.

The resolution was unanimously adopted.

REPORTS

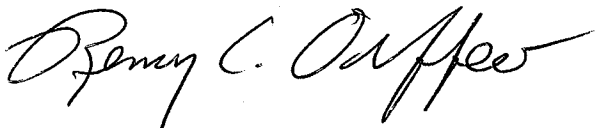
27) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN SHERRY, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN MAJCHRZAK, TO WIT:

RESOLVED, that the Town Board does hereby receive and file the Building Inspector's Report for April 2017.

The resolution was unanimously adopted.

There being no further business, on a motion by Supervisor Keem, seconded by Councilman Majchrzak, the meeting adjourned at 7:59 pm (local time).

Respectfully Submitted,



Remy C. Orffeo
Town Clerk