

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 February 2021 at 7:00 PM, the meeting was called to order by Deputy Supervisor Joseph Liberti and there were:

**PRESENT AT ROLL CALL:**

	Joseph Liberti	Supervisor
	Eugene Majchrzak	Deputy Supervisor
		Councilmember
Present Via Phone	Conor Flynn	Councilmember
	Remy Orffeo	Town Clerk
	Timothy Donovan Gallagher	Town Attorney
	Steve Bremer	Building Inspector
	E. Joseph Wehrfritz	Chief of Police
	Frederick Piasecki, Jr.	Highway Superintendent
	Town Engineer	Wayne Bieler

**Deputy Supervisor Liberti 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 MAJCHRZAK, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER FLYNN, TO WIT:**

**RESOLVED**, that the Town Board does hereby approve the Regular Meeting Minutes: January 27, 2021 and Executive Session: January 27, 2021 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 COMMENT ON OLD BUSINESS**

No one came forward and no communications were submitted to the Town Board.

**Old Business #1 Approve Change Order # 2 to Contract with Union Concrete & Construction**

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

**WHEREAS**, the Engineering Department is requesting approval of a Change Order to the contract with Union Concrete & Construction Corporation for the Brenner Drive —Lexington Avenue Reconstruction Project in the amount of \$1,026.60 as discussed at the Work Sessions. If approved, this would increase the total contract amount to \$678,695.60, representing an increase of 0.015%. The Change Order requested is to raise an existing hydrant on Lexington Avenue to proper elevation to be functional with relationship to surrounding grades.

**NOW, THEREFORE, be it**

**RESOVLED**, that the Town Board does hereby approve Change Order #2 to our original contract with Union Concrete & Construction Corp. for the Brenner Drive — Lexington Avenue Reconstruction Project in the amount of \$1,026.60, as recommended by the Town Engineer.

**The resolution was unanimously adopted.**

**Old Business #2 Approve Work Order #2 for the CIPP Rehabilitation Contract with United Survey**

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

**WHEREAS**, United Survey Inc. was awarded a contract to perform Cured-In-Place Pipe Lining throughout various areas in the Town in the amount not to exceed \$500,000. The contract was awarded as bid through the Erie County Division of Purchasing Contract 217039-002. The areas are being identified through video inspections performed by the SW&L Dept. Work Order #1 was released in September 2020 to rehabilitate the sanitary main on the west side of North Benzing Road. The lining portion of the work order has been completed and USI is coordinating with the Engineering Department to finalize a schedule to grout two laterals, which will close out W.O. #1. The final anticipated cost of W.O. #1 is +/- \$85,500. The cost of a necessary spot repair performed prior to the lining, when the invoice from the contractor is received, will be taken out of the 2021 budget line G018008, District 18 Special Repairs, and

**WHEREAS**, the Engineering Department has assembled and is ready to release Work Order #2. This work order includes lining Bussendorfer Rd. from Abbott Rd. to the corner, approximately 3,400 LF of clay tile pipe showing signs of infiltration and inflow that contribute to the documented surcharging of the Abbott Road sewer main. Also in W.O. #2, +/- 332LF of sewers on Duerr Road and +/- 1364LF of sewers on California Road will be rehabilitated. These lines require bi-annual maintenance from our SW&L Department due to the discharges received from the nearby nursing home. It is anticipated that one spot repair will be required on California Road and the cost of the repair will again be billed to G018008 at an additional cost to the town. The Total cost of W.O. #2 is expected to be +/- \$166,200 without spot repairs. If any spot repairs are needed, we may have to use a subcontractor as before, and

**WHEREAS**, this will bring the current contract expenditures to \$252,000, roughly 50% of the authorized original contract amount. Once work commences on W.O. #2, we will begin to assemble W.O. #3 targeting older, smaller neighborhoods within District 18 such as Forsythia & Redfox, Middlesex, Meadowlawn, Shultz, Oakwood, Allen, Glen, and other areas of need. As you know, some of the older neighborhoods in need of rehabilitation are part of a small sanitary sewer district, and no work is currently being proposed within the small districts due to the pending consolidation of all Town Sanitary Sewer Districts. Once the consolidation process is completed, we will look to begin work in these areas, and

**WHEREAS**, there is presently funding allocated under Capital Project 00007, "Sanitary Sewer Main Televising and Relining" for this work.

**NOW, THEREFORE, be it**

**RESOLVED**, that the Town Board does hereby approve Work Order No.2 for the CIPP Rehabilitation contract with United Survey Inc., 25145 Broadway Ave, Cleveland, Ohio 44146, in the amount not to exceed \$170,000, as recommended by the Town Engineer.

**The resolution unanimously adopted.**

**Old Business # 3 Amend 10/27/2020 Minutes**

This item was tabled.

**PUBLIC COMMENT ON NEW BUSINESS**

No one came forward and no communications were submitted to the Town Board.

**New Business #1 Approve Compost & Mulch Pricing for 2021**

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

**RESOLVED**, that the Town Board does hereby approve the 2021 pricing for Mulch & Compost effective February 3,2021: Residents \$15.00 a cubic year, and Non-residents \$23.00 a cubic yard, which is the same as last year.

**The resolution was unanimously adopted.**

**New Business #2 Approve Community Activity Center Budget Code for Part-time employees**

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

**WHEREAS** the Orchard Park Community Activity Center (CAC) requires building monitor/caretakers to be on site when the building is open for community programs and rental events, and

**WHEREAS**, a budget line has been appropriated in the 2021 Town Budget for these assignments [CAC SAL NON UNION HOURLY PT (A07180 50104)], and

**WHEREAS**, the Recreation Department, Senior Center and Building Maintenance Department have been consulted and agree that part-time assignments to their departments should be charged to CAC SAL NON UNION HOURLY PT (A07180 50104).

**NOW, THEREFORE, be it**

**RESOLVED**, that current part-time Town employees (from the Recreation Department, Senior Center or Building Maintenance Department) shall be charged through the payroll system to CAC SAL NON UNION HOURLY PT (A07180 50104) budget code when assigned to CAC building monitor/caretaker duties.

**The resolution was unanimously adopted.**

**New Business #3 Appoint Parks Supervisor for 2021**

This item is tabled.

**New Business #4 Appointments to the Conservation Board**

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

**WHEREAS**, the Town of Orchard Park Conservation Board has several openings, and

**WHEREAS**, it is in the interest of the Town to have a fully staffed Conservation Board.

**NOW, THEREFORE, be it**

**RESOVLED**, that the Town Board does hereby appoint Melissa Lebedzinski and Michael Bryniarski to the Conservation Board for a two (2) year term ending December 31, 2022 and be it further

**RESOLVED**, that the Town Board does hereby appoint Kyle Witt as Alternate to the Conservation Board for the year 2021.

**The resolution was unanimously adopted**

**New Business #5 Refer to the Planning and Conservation Boards.**

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

RESOLVED, that the Town Board does hereby refer the following to the Planning Board and Conservation Board for review:

- “Eco Serve” 3573 North Buffalo Road, located on the east side of North Buffalo Rd., south of Milestrip Rd., Zoned B-3. Seeking approval of proposed new asphalt parking lot at rear of property. (SBL #161.08-2-15.2)

**The resolution was unanimously adopted.**

**BUSINESS FROM THE FLOOR**

No one came forward and no communications were submitted to the Town Board.

**ELECTED OFFICIALS & DEPARTMENT MANAGERS**

Town Clerk Remy Orffeo said due to COVID19 he encouraged residents to pay the Town/County taxes by check and use the drop box in the Municipal Building or pay by mail in effort to stop the spread of this illness. This is for your safety and ours. He stated that on-line payments have picked up this year.

Highway Superintendent Fred Piasecki outlined the Highway Departments activity for this week.

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

**RESOLVED**, that the Town Board does hereby authorize the approval of all entries on Warrant # 3 following auditing by members of the Town Board and in the funds indicated:

<b>General Fund</b>	\$45,027.12
<b>Public Safety Fund</b>	\$8,320.07
<b>Part Town Fund</b>	\$27.76
<b>Risk Retention</b>	-0-
<b>Cemetery Fund</b>	-0-
<b>Highway Fund</b>	\$34,726.65
<b>Special Districts</b>	\$2,772.45
<b>Trust &amp; Agency</b>	-0-
<b>Capital Fund</b>	\$9,743.05

**The resolution was unanimously adopted.**

**REPORTS**

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

**RESOLVED**, that the Town Board does hereby received and file the 2020 Compost Site Summary Report. Superintendent Piasecki stated that the Compost Site sales were up \$39,000 this year, it was one of the best years. The Town of Aurora partnered with our Compost Site and this has helped with the product and the sales.

**The resolution was unanimously adopted.**

There being no further business, on a motion by Councilmember Majchrzak, seconded by Councilmember Flynn, the meeting adjourned at 7:16pm (local time).

**Respectfully Submitted,**

**Remy C. Orffeo  
Town Clerk**