

A Special Session Meeting was called by the Town Board of the Town of Orchard Park, Erie County, New York, held at the Orchard Park Municipal Center, 54295 South Buffalo Street, Orchard Park, New York on the 24th day of March 2021 at 6:32 P.M. (local time)

Present:	Joseph Liberti	Deputy Supervisor
	Eugene Majchrzak	Councilmember
	Conor Flynn	Councilmember
	Tim Gallagher	Town Attorney

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

WHEREAS, the Town of Orchard Park has awarded the contract for the Green Lake Maintenance Project Dredging to Legend Excavating. Contained within the bid was an alternate for the maintenance dredging of Acorn Cir. Pond. This alternate was not awarded with the base contract due to the extended time it took to obtain necessary permits or if those permits through the NYSDEC were even obtainable. Legend Excavating at that time agreed to hold the Alternate #1 price bid for the duration of the contract. We have obtained the necessary permits with no additional mitigation requirements added to the scope of work. This means the Alternate may be awarded at this time without additional compensation to the Contractor or costs to the Town for mitigation; and

WHEREAS, due to the delay in obtaining the permits, the Contractor has waited to begin work on the base bid portion of the contract until notice was given that Alternate #1 either would or would not be awarded. Currently the contract expiration date is March 27, 2021. Dredging of Green Lake is not permitted by NYSDEC between May 15, 2021 and July 7, 2021. Therefore a time extension should be granted to the contractor until April 30, 2021 to facilitate the work this spring to help prevent damage to the wire again. In the event the contractor cannot complete Green Lake Dredging work before May 15, 2021 the contract may have to be extended again into the fall. With the dredging the lake is lowered, the concern is with water elevations in July returning if are having a dry summer; and

WHEREAS, currently there is \$55,000 in Account AP013 (Yates Park Maintenance Dredging). This is sufficiently funded for the base bid contract amount of \$47,500. There is presently no funding in Account AD008 (Acorn Cir. Pond). The total cost of Alternate #1 to dredge the pond is \$16,500, If the agreements stays at 25% (\$4,125.00) being the Town portion, no additional funding is needed. Once the Town Board agrees to the payment option preferred, as outlined in memorandums dated June 11, 2019 and October 28, 2020, funding should be allocated into Account AD008.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby approve Change Order #1, Award Alternate #1 to the Green Lake Maintenance Dredging Contract for Legend Excavating, 8080 Barnum Rd., Cassadaga, NY 14718, for Dredging Acorn Circle for \$16,500 and be it further

RESOLVED, that the Town Board does hereby approve Change Order #1 a no cost time extension for the Green Lake Maintenance Dredging Contract until April 30, 2021; and be it further

RESOLVED, that the Town Board does hereby authorize the Town Attorney and Town Engineer to finalize the agreement with the residents of Acorn Pond for their share.

The resolution was unanimously adopted.

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

WHEREAS, the NYS Police Reform & Reinvention Collaborative was directed by NYS Governor Andrew Cuomo's Executive Order No. 203 of June 12, 2020: and

WHEREAS, all Municipalities in New York State that have police forces are required to participate and submit a written plan by April 1, 2021; and

WHEREAS, if communities fail to submit a written plan, their funding will be withheld by the NYS Department of Budget; and

WHEREAS, this process was structured according to the guidelines provided in the New York State Police Reform and Reinvention Collaborative, requiring community input and participation, along with an assessment of the Police Department's policies, practices, and procedures; and

WHEREAS, the Town of Orchard Park understands that maintaining public safety is extremely important and is one of the essential roles of government. To achieve that goal, there must be mutual trust and respect between police and the communities they serve; and

WHEREAS, the Town of Orchard Park has followed the guidelines of the Police Reform & Reinvention Collaborative in the following ways:

- Review the needs of the community served by the Orchard Park Police Department.
- Elicit opinions from the public to identify potential areas of improvement.
- Evaluate relevant policies and procedures of the department.
- Determined strategies to increase trust, transparency and public opinion of the department. - Offer a plan for public comment.
- Evaluate the public comment and make necessary changes to the plan.
- Present the plan to the Town Board to adopt by March 24th, 2021. - Submit the plan to the State Budget Director no later than April 1st, 2021.

WHEREAS, the Town of Orchard Park Town Board has reviewed and consider the information presented in the Plan; therefore, be it

RESOLVED, the Town of Orchard Park Town Board accepts and adopts the Town of Orchard Park Policing Reform Plan and will use it as a guide for future decision-making; and be it further

RESOLVED, the Town of Orchard Park Town Board, upon adoption of this resolution, hereby authorizes the Supervisor to execute and submit the Plan Certification Form and Policing Reform Plan to the New York State Division of the Budget by the established deadline April 1, 2021.

On the Question:

1. Councilmember Majchrzak: Inquired if the Plan will be available to be signed on Thursday March 25, 2021.
2. Councilmember Majchrzak: Complemented all who were involved in the process of completing the NYS Police Reform & Reinvention Collaborative.

3. Councilmember Flynn: Commented on the plan indicating that it was a good start, but had some concerns with the Public Notice Period and amount of time for the community to review, and that the Plan was light on analysis and was heavy on background, and that a good faith effort was made, and that the Plan is a living document and that this is the start of this Plan.

4. Councilmember Majchrzak: Further indicated that this Plan was a work in progress and that the Plan will be modified as circumstances dictate.

The resolution was unanimously adopted.

3) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER MAJCHRZAK, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER FLYNN, WITH UNAMIOUS APPROVAL, THE RESOLUTION WAS ADOPTED.

At 6:44 P.M. on a motion made by Councilmember Gene Majchrzak, seconded by Councilmember Conor Flynn, with unanimous approval the Special Session Meeting was closed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Tim Gallagher', with a long, sweeping flourish extending to the right.

Tim Gallagher, Town Attorney