

A Meeting of the Town Board of the Town of Orchard Park, Erie County, New York, was held at the Orchard Park Municipal Center, S4295 South Buffalo Street, Orchard Park, New York on the 21st day of April 2021 at 7:00 PM, the meeting was called to order by Deputy Supervisor Joseph Liberti and there were:

PRESENT AT ROLL CALL:

	Supervisor
Joseph Liberti	Deputy Supervisor
Eugene Majchrzak	Councilmember
Conor Flynn	Councilmember
Remy Orffeo	Town Clerk
Timothy Donovan Gallagher	Town Attorney
Patrick Fitzgerald	Police Captain
Frederick Piasecki, Jr.	Highway Superintendent
Wayne Bieler	Town Engineer
Ed Leak	Parks & Recreation Director

ABSENT:	E. Joseph Wehrfritz	Chief of Police
	Steve Bremer	Building Inspector

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: April 7, 2021 and Executive Session: April 7 & 14, 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.

***** **Proclamation Honoring Kathleen Anne Swarbrick** *****

WHEREAS, Kathleen Anne Swarbrick began her municipal career with the Town Clerk’s Office in March of 1995; and

WHEREAS, from the start, her strong work ethic, competency, compassion and leadership were clearly evident; and

WHEREAS, she has served the Town of Orchard Park and the Town Clerk’s Office for twenty-six (26) years; and

WHEREAS, throughout her tenure Kathleen has assisted with more than 300 town board meetings, served under five Supervisors, three Town Clerks and has trained three 2nd Deputies for the Town Clerk’s Office; and

WHEREAS, Kathleen has distinguished herself as a hard-working and dedicated public servant at all times, committed to helping her community with a sense of fairness and has provided invaluable leadership and guidance on many significant projects; and

WHEREAS, her colleagues know her as a dependable coworker and friend whom takes pride in her work and in this community and who is always ready to lend moral support or a helping hand when needed.

NOW THEREFORE, be it

RESOLVED, that we the Town Board of the Town of Orchard Park do hereby extend our heartfelt thanks to Kathleen Anne Swarbrick for her 26 years of dedicated admirable service to the Town and its residents and particularly to this council and all previous councils she served; and be it further

RESOLVED, that the Town Board extends its sincere appreciation for her leadership, ethical behavior and hard work; and be it further

RESOLVED, that the Town Board offers their congratulations and best wishes for a happy, healthy and enjoyable retirement.

The resolution was unanimously adopted.

YOUTH BOARD INDUCTION OF MEMBERS TO ORCHARD PARK YOUTH COURT

The following were sworn in as members of the Orchard Park Youth Court by Town Justice Edward Pace:

Kelly Barnes	Abby Champion	Kamryn Carter	Alex Cimo
Jenna Denysschen	Owen Duckham	Ashley Ferguson	Matteo Joslyn
Natalie Kassirer	Carter Marks	Grace McCormick	Shannon Murphy
Elise Newbury	Ella Newell	Mike Ricotta	Madison Rozic
Anastasija Varian	Hannah Venning	Ross Yoshida	

PUBLIC COMMENT ON OLD BUSINESS

No one came forward.

Old Business #1 Recreation & Parks Department Summer Seasonal & Part-time staffing for 2021-2022

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

WHEREAS, the Recreation Department will need the waterfront lifeguards to begin in May for training and beach set up in order to get the beach ready and safe for opening weekends only from Memorial Day weekend to June 24th. The beach will then be open 7 days a week starting June 30 - Mid August, and

WHEREAS, most of the Recreation Programs are dictated by the Erie County Health Department which requires a specific staff to camper ratios 1:6/1:10 based on participant’s age, and

WHEREAS, the job titles and rates of pay are the same as in 2020 which is built into the 2021 budget, and

WHEREAS, the Recreation Department has been told by the OP school district that the Middle School pool will most likely be available to use for swim lessons and programs this summer 6 days per week, which the Recreation Department has not been able to utilize it since 2019, and

WHEREAS, the Recreation Department has 16 new programs which were not offered last summer.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby appoint the following to the Town of Orchard Park Recreation Department 2021 summer seasonal effective April 9, 2021:

Natalie Alfano	\$13.50	PT5-E (Att)	Emma Johnson	\$14.50	PT6-C (LG)
Michael Barnes	\$13.50	PT5-E (Att)	Molly Joyce	\$15.00	PT6-D (Att)
Andrew Armstrong	\$13.50	PT5-E (Att)	Gabrielle Kent	\$13.50	PT5-E (Att)
Genevieve Arnold	\$13.50	PT5-E (Att)	Charlotte Koch	\$13.50	PT5-E (Att)
Archie Bartolotti	\$13.50	PT5-E (Att)	Kaleigh Kroon	\$13.50	PT5-E (Att)
Zipporah Barry	\$13.50	PT5-E (Att)	Maria Kubiak	\$14.50	PT6-C (LG)
Emily Bement	\$14.50	PT6-C (LG)	Faith Leigh	\$13.50	PT5-E (Att)
Abbey Black	\$13.50	PT5-E (Att)	William Linton	\$14.00	PT6-B (Att)
Guinevere Brady	\$13.50	PT5-E (Att)	Kylie Magill	\$13.50	PT5-E (Att)
Peyton Buell	\$14.50	PT6-C (LG)	Rachael Major	\$15.00	PT6-D (Att)
Ana Canale	\$15.00	PT6-D (Att)	Jordyn Malinowski	\$15.00	PT6-D (Att)
Jaimeson Canny	\$13.50	PT5-E (Att)	Janet Marks	\$16.00	PT7-C (Att)
Julianne Carter	\$13.50	PT5-E (Att)	Eve McMullen	\$15.00	PT6-D (Att)
Marissa Carrig	\$14.50	PT6-C (LG)	Julia McMullen	\$13.50	PT5-E (Att)
Landon DeKay	\$14.50	PT6-C (LG)	Tanner McMullen	\$16.00	PT7-C (Att)
Abby Donoghue	\$13.50	PT5-E (Att)	Erin Metz	\$13.50	PT5-E (Att)
Kathleen Dougherty	\$13.50	PT5-E (Att)	Grace Michalski	\$13.50	PT5-E (Att)
Elizabeth Eberhardt	\$14.00	PT6-B (Att)	Amaya Neuwirth	\$13.50	PT5-E (Att)
Madeline Feldman	\$15.00	PT6-D (Att)	Joshua Nowak	\$14.00	PT6-B (Att)
Julie Filipski	\$14.50	PT6-C (LG)	Claire Otis	\$15.00	PT6-D (Att)
Megan Filipski	\$16.00	PT7-C (LG)	Emily Penn	\$14.50	PT6-C (LG)
Jaime Fitzgerald	\$16.00	PT7-C (LG)	Alexa Plata	\$13.50	PT5-E (Att)
Jamie Gaiser	\$13.50	PT5-E (Att)	Ava Plata	\$13.50	PT5-E (Att)
Bernadette Gens	\$15.00	PT6-D (Att)	Lauren Radford	\$13.50	PT5-E (Att)
Colden Grossman	\$14.00	PT6-B (LG)	Francesco Romanello	\$13.50	PT5-E (Att)
Sydney Grossman	\$14.50	PT6-C (LG)	Eric Ruhland	\$14.50	PT6-C (LG)
Madison Guarino	\$13.50	PT5-E (Att)	Nicole Rzepka	\$13.50	PT5-E (Att)
Faye Habermehl	\$14.50	PT6-C (LG)	Courtney Schmidt	\$16.00	PT7-C (Att)
Grace Haier	\$14.00	PT6-B (Att)	Grace Scott	\$16.00	PT7-C (LG)
Ethan Hallett	\$13.50	PT5-E (Att)	Molly Sheehan	\$13.50	PT5-E (Att)
Katherine Hallinan	\$13.50	PT5-E (Att)	Benjamin Shoop	\$14.00	PT6-B (Att)
Mary Hanlon	\$13.50	PT5-E (Att)	Jacob Simonsen	\$16.00	PT7-C (LG)
Leah Harrigan	\$13.50	PT5-E (Att)	Marissa Torcello	\$13.50	PT5-E (Att)
Jack Heraty	\$13.50	PT5-E (Att)	Daniel Updike	\$14.00	PT6-C (Att)
Emma Heppner	\$13.50	PT5-E (Att)	Caleb Waltenbough	\$13.50	PT5-E (Att)
Patrick Higgins	\$16.00	PT7-D (Att)	Cassidy Whalen	\$13.50	PT5-E (Att)
Grace Hinterberger	\$13.50	PT5-E (Att)	Abigail Vendura	\$14.50	PT6-C (LG)
Lauren Hrusa	\$13.50	PT5-E (Att)	Alex Vendura	\$14.50	PT6-C (LG)
Jessica Humby	\$14.50	PT6-C (LG)	Madeline Venturo	\$14.50	PT6-C (LG)
Olivia Ippolitto	\$13.50	PT5-E (Att)	Darcy Zappia	\$15.00	PT6-D (Att)

The above appointments are dependent upon the applicant providing the required certifications, and be it further

RESOLVED, that the following are hereby appointed to the Orchard Park Parks and Grounds Department summer seasonal for 2021, effective April 9, 2021.

Donald Brady	\$13.50	PT5-E (Att)
John Forness	\$16.00	PT7-C (Att)
Madison Hornung	\$16.00	PT7-C (Att)
Michael Kane	\$14.50	PT6-C (Lg)
Marck Nemec	\$14.00	PT6-B (Att)

Breck O'Connor	\$14.00	PT6-B (Att)
John Schmelzinger	\$14.00	PT6-B (Att)

The resolution was unanimously adopted.

Old Business #2 Award Bid for 2021 Mowing Contact Service

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

WHEREAS, the Town Parks and Grounds Department desires to enter into a Mowing Service contract for the year 2021, and

WHEREAS, the Town Clerk's office published a request for bids in the official town newspaper for the 2021 Mowing Service Contract, and

WHEREAS, the opening of sealed bids took place on Friday, April 19, 2021 in the Town Municipal Center at 2:00 PM (local time), and

WHEREAS, Town Clerk Remy C. Orffeo and Parks and Grounds Director Edward Leak were present at the bid opening.

NOW, THEREFORE, be it

RESOLVED, that the 2021 Mowing Service contract is awarded to the low bidder Jensen Lawn & Yard Care at a rate of \$765.00 per week.

The resolution was unanimously adopted.

Old Business #3 Award Bid for 2021 for Washington Ball Mix for the Baseball Infields

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

WHEREAS, the Town Parks and Grounds Department desires to enter into a contract for Washington Ball Mix for Infields for the year 2021, and

WHEREAS, the Town Clerk's office published a request for bids in the official town newspaper for the 2021 contract for Washington Ball Mix for Infields, and

WHEREAS, the opening of sealed bids took place on Friday, April 19, 2021 in the Town Municipal Center at 2:00 PM (local time), and

WHEREAS, Town Clerk Remy C. Orffeo and Parks and Grounds Director Edward Leak were present at the bid opening.

NOW, THEREFORE, be it

RESOLVED, that the 2021 contract for Washington Ball Mix for Infields is awarded to the low bidder Lakeside Sod Supply at a rate of \$80.00 per ton with an estimated use of 30 to 35 tons.

The resolution was unanimously adopted.

Old Business # 4 Authorize the Release of Escrow under PIP 2019-02 for Street Lighting

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

WHEREAS, on January 20, 2021, the Town Board accepted dedication of the public improvements constructed in the Pleasant Acres West Subdivision, Pt.3-Ph1, PIP #2019-02, with the stipulation that funds paid by the contractor be held in escrow until the decorative street lighting was completed, and

WHEREAS, the contractor has since installed the required poles and fixtures on Golden Crescent Way and Wentworth Drive. The work was inspected by the Building and Engineering Departments and found to be in compliance with Town specifications.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the Town Clerk to release to Simoncelli Electric, the \$15,000 held in escrow for street lighting in the Pleasant Acres West Subdivision Part 3 Phase 1 PIP #2019-02, as recommended by the Town Engineer.

The resolution was unanimously adopted.

Old Business #5 Authorize the Release of Escrow under PIP 2019-01 for Topsoil & Seeding

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

WHEREAS, on May 6, 2020, the Town Board accepted dedication of the public improvements constructed in the Shadow Lane Extension, PIP #2019-01, with the stipulation that an escrow in the amount of \$10,000 be held until grass was established along Shadow Lane Extension, and

WHEREAS, the Contractor has since completed the above referenced work and grass is established. The work was inspected by the Engineering Department and found to be in compliance with Town specifications.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the Town Clerk to release, \$10,000 held in escrow under PIP 2019-01 for the topsoiling and seeding to establish grass along the Shadow Lane Extension, PIP #2019-01 to Andrew Romanowski, Oak Grove Holdings, LLC, 4727 Camp Road, Hamburg, New York 14075.

The resolution was unanimously adopted.

Old Business #6 Approve Change Order #1 to Contract with United Survey Inc.

7) 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 Department, started work with Work Order No. 1, which was released in September 2020. The final anticipated cost of W.O. No. 1 was +/- \$85,500. W.O. No. 2 was released in February 2021 for lining Bussendorfer Road from Abbott Road 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 +/-1364 LF of sewers on California Road will be rehabilitated. The anticipated cost of W.O. No. 2 was not to exceed \$170,000. This brings the total Contract amount to date to be \$255,000, roughly 50% of the authorized original contract amount of \$500,000, and

WHEREAS, due to the infiltration volumes, Change Order No. 1 quote for W.O. No. 2 in the amount of \$11,250, which represents a 0.22% increase to the overall Contract as proposed to \$511,250. The work associated with Change Order No. 1 is to perform two (2) spot slip liner repairs along Bussendorfer Road and one (1) slip line spot repair along Duerr Road near California between San MH Nos. 10129 and 10132 in order to reduce the volume of ground water pushing on the new liner. Currently this scope of work is not included within the contract scope of the Erie County Division of Purchasing Contract.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby approve Change Order No. 1 spot repair liners, to reduce infiltration in Work Order No.2 areas for the CIPP Rehabilitation Contract with United Survey Inc., 25145 Broadway Ave, Cleveland, Ohio 44146, in the amount not to exceed \$11,250, as recommended by the Town Engineer.

The resolution was unanimously adopted.

PUBLIC COMMENT ON NEW BUSINESS

No one came forward

New Business #1 Sign 2021 Compost Site Agreement with the Village of Orchard Park

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

RESOLVED, that the Town Board does hereby table this item.

The resolution was unanimously adopted.

New Business #2 Approve Collective Bargaining Agreement with Orchard Park Police

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

WHEREAS, the collective bargaining agreement between the Town of Orchard Park ("TOWN") and the Orchard Park Police Benevolent Association ("PBA" or "Union") expired on December 31, 2020; and

WHEREAS, the Town and the Union have agreed upon terms of a Tentative Agreement for a new collective bargaining agreement for the period of January 1, 2021 to December 31, 2023; and

WHEREAS, the Town Board has reviewed the terms of this new agreement with both financial and legal advisers; and

WHEREAS, the Town Board finds the wage increases included in this new collective bargaining agreement to be fair and competitive for both the residents and taxpayers in the Town and the employees of the Police Department covered by the terms of this agreement; and

WHEREAS, the members of the PBA overwhelmingly ratified the terms of this new collective bargaining agreement on Tuesday, April 13, 2021; and

WHEREAS, the Town Board believes that the approval of this new collective bargaining agreement is in the best interests of the Town and its Police Department;

NOW, upon due consideration and review, the Town Board of the Town of Orchard Park

RESOLVES that pursuant to section 204-a of the Civil Service Law, the Town Board legislatively approves the terms of the 2021 to 2023 collective bargaining agreement negotiated between the Town and the PBA and set forth in the Tentative Agreement exchanged between these parties and ratified by the PBA; and further

RESOLVES after review and approval by legal counsel, the Deputy Town Supervisor is authorized to execute a collective bargaining agreement with the PBA setting forth the agreed upon terms for the period of January 1, 2021 through December 31, 2023.

The resolution was unanimously adopted.

New Business #3 Approve Out-of-District Sewer Service Agreement with West Seneca

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

WHEREAS, The Engineering Department has received correspondence requesting Out-of-District Sewer Service approval from Speedway, LLC, for a proposed Speedway Convenient Store and Fuel Station at 2737 Southwestern Boulevard. The address is located inside the boundaries of Orchard Park Sanitary Sewer District No. 18, but the nearest available sanitary sewer mainline is in the Town of West Seneca on the far-side of Southwestern Boulevard, and

WHEREAS, the Town has a completed Out-of-District Sewer Service Agreement, along with a letter from the Town of West Seneca, agreeing to accept the sanitary sewer effluent from a proposed Speedway Convenient Store and Fuel Station at 2737 Southwestern Boulevard.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby approve the Out-of-District Sewer Service Agreement between Orchard Park Sewer District No. 18 and the Town of West Seneca for the proposed Speedway Convenient Store and Fuel Station at 2737 Southwestern Boulevard, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #4 Sign NYS Dept. of Environmental Conservation SPDEs General Permit

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

WHEREAS, per the Federal EPA Environmental Conservation Law, Clean Water Act, and Stormwater Phase II regulations, the Town must submit to the New York State Department Environmental Conservation, a Stormwater Management Program annual report outlining the Town's progress in meeting the Notice of Intent (N01) goals, and

WHEREAS, the 2020-2021 copy of the draft annual report will be placed in the Town Clerks Office for public review and comments. A draft copy will be forwarded to the Town Board, Building Inspector, Highway Superintendent and Town Attorney for review and comments. The Annual Report must be submitted to the NYSDEC each year by June 1. Included with the report is the Municipal Compliance Certification Form that must be signed by the Deputy Supervisor.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the Deputy Supervisor to sign the New York State Department of Environmental Conservation SPDES (#NYR20A137) General Permit for Stormwater Discharge from Small Municipal Separate Storm Sewers (MS4's), Permit No. GP-0-10-002, Municipal Compliance Certification, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #5 Schedule Public Informational Meeting for Stormwater Phase II Annual Report

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

WHEREAS, per the Federal EPA Environmental Conservation Law, Clean Water Act, and Stormwater Phase II regulations, the Town must submit to the New York State Department Environmental Conservation, a Stormwater Management Program annual report outlining the Town's progress in meeting the Notice of Intent (N01) goals, and

WHEREAS, the 2020-2021 copy of the draft annual report will be placed in the Town Clerks Office for public review and comments. A draft copy will be forwarded to the Town Board, Building Inspector, Highway Superintendent and Town Attorney for review and comments. The Annual Report must be submitted to the NYSDEC each year by June 1. Included with the report is the Municipal Compliance Certification Form that must be signed by the Deputy Supervisor.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby schedule a public informational meeting for Wednesday, May 19, 2021, at 7:00 pm, to receive public.

The resolution was unanimously adopted.

New Business #6 Medical Insurance for Retiring Police Officer

13) 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 an obligation to save the taxpayers money whenever possible, and

WHEREAS, the Town of Orchard park is obligated to pay a retiring Officers Medical/Health Insurance Policy, in full, until the Officer reaches the age of 65, and

WHEREAS, the Town of Orchard Park wishes to enter into an agreement with retiring Orchard Park Police Officer, Joseph Cullen, concerning the Town's obligation to pay the Officers Medical/Health Insurance Policy.

NOW, THEREFORE, be it RESOLVED that:

1. The Town of Orchard Park hereby agrees to pay 50% of Officer Cullen's Medical/Health Insurance Policy until he reaches 65 years of age.
2. Officer Cullen is currently 59 years old, and will retire effective April 30, 2021.

3. For 2021, the Town of Orchard Park will agree to pay 50% of Officer Cullen's Medical/Health Insurance Policy for the remaining 8 months of 2021.
4. On a yearly basis, the Town of Orchard Park agrees to pay 50% of Officer Cullen's Medical/Health Insurance Policy until he reaches the age of 65.

The resolution was unanimously adopted.

New Business #7 Schedule Bid Opening for IT Department

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

WHEREAS, the Town of Orchard Park intends to undertake a Cybersecurity Risk and Vulnerability Assessment that will identify vulnerabilities in its information technology infrastructure, and

WHEREAS, the project will assess the Town's current security controls, and

WHEREAS, Orchard Park IT Department wishes to hire a contractor to assist in this project

NOW, THEREFORE, be it

RESOLVED, that the Town Board is hereby authorized to schedule a bid opening for "Comprehensive Cybersecurity Risk and Vulnerability Assessment Contractor" on Monday, May 3, 2021 at 2:00 PM at 4295 South Buffalo Street, Orchard Park, New York.

The resolution was unanimously adopted.

New Business #8 Authorize Tree Conservancy to Plant Memorial Oak Trees in Steinwach Park

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

WHEREAS, as part of Arbor Day Celebrations in the Town of Orchard Park the Tree Conservancy Committee dedicates on an annual basis an Oak Tree in Steinwach Park (next to the Orchard Park Library), and

WHEREAS, due to COVID-19 restrictions the dedication for 2020 was postponed until 2021.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the Tree Conservancy Committee to plant a Pin Oak (*Quercus Palustris*) in Steinwach Park on Friday, April 30, 2021 in memory of Michael C. Capriotto (1956-2020) for the year 2020 for his many years of service to the citizens of Orchard Park, and be it further

RESOLVED, that the Town Board does hereby authorize the Tree Conservancy Committee to plant a Bicolor Oak (*Quercus Bicolor*) in Steinwach Park on Friday, April 30, 2021 in memory of Mark D. Croce (1961-2020) for the year 2021 for his many years of service to the citizens of Erie County.

The resolution was unanimously adopted.

New Business #9 Budget Amendment

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

WHEREAS, the Town has incurred additional costs for damages to the lawn at the Community Activity Center that were reimbursed by insurance proceeds, and

WHEREAS, the Town has received the proceeds that were not included in the 2021 budget.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorize the amending of the 2021 adopted budget to authorize additional appropriations and estimated revenues in the amount of \$1,315.00:

Increase Appropriations:

A07110 50483 Parks – Contracted Mowing \$1,315.00

Increase Estimated Revenues:

A00000 42680 General – Insurance Recoveries \$1,315.00

The resolution was unanimously adopted.

New Business #10 Appoint Part-time Assessment Clerk

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

RESOLVED, that the Orchard Park Town Board does hereby appoint Kimberly Van Tine Part-time Assessment Clerk in the Orchard Park Town Assessor’s office at a rate of \$15.00 per hour, effective April 19, 2021.

The resolution was unanimously adopted.

BUSINESS FROM THE FLOOR

Tom Pieczynski had some issues with Councilmember Flynn’s comments regarding diversity, as he feels there is not a problem in Orchard Park, and with Councilmember Flynn’s comments on the Police Reform & Reinvention Collaborative Plan. Mr. Pieczynski also does not feel opening up the process for Food Trucks is a good idea, as Eagle Heights food trucks are in the park next to him, and people drive over his lawn, park in front of his driveway and throw garbage all over.

ELECTED OFFICIALS & DEPARTMENT MANAGERS

Police Captain Fitzgerald stated that on April 8, 2021 there was a large brush fire in the southern part of the Town. An Erie County Sheriff saw it and reported it. Police Captain Shepard was in the area and the two responded. There was an elderly man in the center of it, and they were able to get him out. He is currently receiving medical treatment. Legislator Mills, and Representative Jacobs will be recognizing them for their actions.

Highway Superintendent Piasecki stated that the Highway Department is out doing brush pickup, road sweeping, and drainage projects. They have outlined the handicap parking in the parks and the Community Center. He did receive the second check from the County for plowing the County Roads.

Town Engineer Bieler said the Acorn Circle Restoration has been completed. The Green Lake dredging is 90% completed.

Town Clerk Orffeo said for Arbor Day there is going to be two tree plantings to honor Mark Croce at 3:30pm and Michael Capriotto at 4:30 pm at Steinwach’s Oak Grove next to the Library on Friday, April 30th.

Councilmember Majchrzak stated that three of his favorite things that involve the youth of this community are the Orchard Park Pride Dinner, the DARE program graduations and Youth Court. He wanted to thank the Youth Board for including the Town Board in the evening that is so exciting for them.

Councilmember Majchrzak wished to recognize the negotiating team for the Orchard Park PBA Contract; Det. Jamie Mazur, Sr. Det. John Payne, Officer Ryan Myers, Officer Marshal McGraw, Officer Andrew Kowalski, Officer Kelly WyrOUGH.

18) 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 # 8 following auditing by members of the Town Board and in the funds indicated:

General Fund	\$73,420.00
Public Safety Fund	\$5,226.94
Part Town Fund	\$150.00
Risk Retention	-0-
Cemetery Fund	-0-
Highway Fund	\$23,829.76
Special Districts	\$13,160.29
Trust & Agency	\$75.00
Capital Fund	\$2,736.25

The resolution was unanimously adopted.

COMMUNICATIONS

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

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

- Household Hazardous Waste Event to be held at on May 8, 2021. Residents must make an appointment at www.erie.gov/recycling or calling 858-6800.

The resolution was unanimously adopted.

REPORTS

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

RESOLVED, that the Town Board does hereby receive and file the following report;

- Building Inspector’s Report for March 2021.

The resolution was unanimously adopted.

There being no further business, on a motion by Councilmember Majchrzak, seconded by Councilmember Flynn, the meeting adjourned at 8:04 pm (local time).

Respectfully Submitted,

**Remy C. Orffeo
Town Clerk**