

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 6th day of April 2022 at 7:23 PM, the meeting was called to order by Supervisor Eugene Majchrzak and there were:

PRESENT AT ROLL CALL:

Eugene Majchrzak	Supervisor
Conor Flynn	Councilmember
Scott Honer	Councilmember
Joseph Liberti	Councilmember
Julia Mombrea (absent)	Councilmember
Remy Orffeo	Town Clerk
Timothy D. Gallagher	Town Attorney
Steve Bremer	Building Inspector
Patrick Fitzgerald	Chief of Police
Andrew Slotman	Highway Superintendent
Ed Leak (absent)	Director of Rec., Parks & Forestry
Wayne Bieler	Town Engineer

Supervisor Majchrzak 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.”

****Police Chief Patrick Fitzgerald spoke about the accomplishments of Police Officer Shane M. Rogers & Detective Darryl A. Purucker****

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

RESOLVED, that the Town Board does hereby approve the Regular Meeting Minutes: March 16, 2022 and Executive Session: March 16 & 23, 2022 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

Proposed Local Law regarding Amending Chapter 144 § ZONING 144-18 Adult Uses

At 7:29PM (local time) Supervisor Majchrzak called for the Public Hearing to hear all interested parties regarding Proposed Local Law Amending Chapter 144 § ZONING 144-18 Adult Uses.

Affidavits of Publication and Posting of the Legal Notice of the Public Hearing were presented, and read aloud, and filed with the Town Board by the Town Clerk.

Supervisor Majchrzak asked if anyone is interested in speaking or making a comment.

Dr. Jaclyn Schneider spoke in opposition of Proposed Local Law.

Nikki Lawley spoke in opposition of Proposed Local Law.

Ken Jaekel spoke in opposition of Proposed Local Law.

Howy Holmes spoke in favor of Proposed Local Law.

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

RESOLVED, that the Town Board does hereby close the Public Hearing regarding Proposed Local Law Amending Chapter 144 § ZONING 144-18 Adult Uses at 8:08PM.

The resolution was unanimously adopted.

Councilmember Flynn spoke in part: “Tonight the Orchard Park Town Board is considering passing a half-baked, regressive, and unenforceable law concerning the location of cannabis dispensaries in Town. While this proposed law may be popular with some Town residents, passing it will not accomplish what those behind it are hoping to accomplish and, if passed, will end up costing Town taxpayers in the end.”

1. The proposed law will not be enforceable.
 - The proposed local law confuses the text of the MRTA statute with a narrow application of Supreme Court first amendment law.
 - The proposed law would clearly make locating a cannabis dispensary “impracticable,” in direct violation of State law.
2. The proposed local law repeats mistakes of the past.
 - The Town has on multiple occasions drafted unenforceable laws to meet the requests of some residents, and has been forced to backtrack and later fix their mistakes, sometimes at a significant cost to Town of Orchard Park taxpayers.
3. The proposed local law doesn’t cover agricultural or industrial uses.
 - The Town of Orchard Park deserves a holistic cannabis zoning regulation that acknowledges all of the uses that can and will occur in Town.
 - The proposed local law ignores the reality of Orchard Park’s rural character, and the likelihood that agricultural cannabis and cannabis processing activity is likely to occur in Town.

Councilmember Flynn’s full comments are available at the Town Clerk’s office.

Supervisor Majchrzak withdraws motion.

Proposed Local Law regarding Amending Chapter 144 § Zoning 144-18 Adult Uses has been tabled for a vote on April 20, 2022.

PUBLIC HEARING

Conservation Easement Extension for Peter A. Messina Jr. & Rosemary M. Messina regarding 7370 Milestrip Road, Orchard Park, NY 14127 SBL #153.19-1-20

At 8:09PM (local time) Supervisor Majchrzak called for the Public Hearing to hear all interested parties regarding the Conservation Easement Extension for Peter A. Messina Jr. & Rosemary M. Messina 7370 Milestrip Road, Orchard Park, NY 14127 SBL #153.19-1-20.

Affidavits of Publication and Posting of the Legal Notice of the Public Hearing were presented, and read aloud, and filed with the Town Board by the Town Clerk.

Supervisor Majchrzak asked if anyone is interested in speaking or making a comment.

Tom Boyd spoke in favor of the Conservation Easement Extension.

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

RESOLVED, that the Town Board does hereby close the Public Hearing regarding Conservation Easement Extension for Peter A. Messina Jr. & Rosemary M. Messina 7370 Milestrip Road, Orchard Park, NY 14127 SBL #153.19-1-20 at 8:12PM.

The resolution was unanimously adopted.

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

WHEREAS, following due and timely notice, a public hearing relating to the matter of Conservation Easement Extension for Peter A. Messina Jr. & Rosemary M. Messina 7370 Milestrip Road, Orchard Park, NY 14127 SBL #153.19-1-20 was conducted on April 6, 2022, at which time all interested parties were given an opportunity to speak.

NOW, THEREFORE, be it

RESOLVED, that the Town Board is hereby authorized to approve Conservation Easement Extension for Peter A. Messina Jr. & Rosemary M. Messina 7370 Milestrip Road, Orchard Park, NY 14127 SBL #153.19-1-20.

The resolution was unanimously adopted.

PUBLIC HEARING

Establish the creation of the Town Drainage District OPDD 1-4 for the Old Transit Subdivision

At 8:13PM (local time) Supervisor Majchrzak called for the Public Hearing to hear all interested parties regarding establishing the creation of the Town Drainage District OPDD 1-4 for the Old Transit Subdivision.

Affidavits of Publication and Posting of the Legal Notice of the Public Hearing were presented, and read aloud, and filed with the Town Board by the Town Clerk.

Supervisor Majchrzak asked if anyone is interested in speaking or making a comment.

No one came forward.

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

RESOLVED, that the Town Board does hereby close the Public Hearing regarding establishing the creation of Town Drainage District OPDD 1-4 for the Old Transit Subdivision at 8:15PM.

The resolution was unanimously adopted.

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

WHEREAS, a map, plan and report relating to the establishment of a proposed Town of Orchard Park drainage district number 1-4 as prepared by Carmina Wood Morris, D.P.C., duly licensed civil engineers of the State of New York, in a manner and in such detail as has been determined by this Town Board, has been duly filed with the Town Clerk, in accordance with the requirements of Article 12 of the Town Law; and

WHEREAS, an Order was duly adopted by this Town Board on April 6, 2022, reciting the filing of said map, plan and report, the improvements proposed, the boundaries of the proposed district, the proposed method of financing, the fact that the map, plan and report describing the same are on file in the Town Clerk's Office for public inspection, and stating all other matters required by law to be stated, and specifying April 6, 2022, at 7:00 in the afternoon of said day as the time, at the Town of Orchard Park Town Hall, as S 4295 South Buffalo Street, Orchard Park as the place where this Town Board would meet and consider said map, plan and report, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law; and

WHEREAS, such order was duly published and posted as required by law; and

WHEREAS, a hearing on said matter was duly held by said Town Board on April 6, 2022 at 7:00 p.m. in the afternoon of said day, in the Orchard Park Town Hall, at S4295 South Buffalo Street, Orchard Park, New York, and no person appearing in opposition to and the petitioner appearing in favor of the petition; and

WHEREAS, pursuant to said petition, it is the intention of the petitioner, as sole owner of all the taxable property in said drainage district, to construct said drainage improvements solely at its own expense, now, after due deliberation, it is

RESOLVED AND DETERMINED:

- A. That the notice of hearing was published and posted as required by law, and is otherwise sufficient;
- B. That all property and property owners in the proposed district are benefitted thereby;
- C. That all property and property owners benefitted are included within the limits of the proposed district;
- D. That it is in public interest to establish said district;
- E. That the petition is signed, acknowledged, proved, or authenticated as required by law and is otherwise sufficient; the Town Board is authorized to sign this Order of Establishing the drainage district number 1-4.

RESOLVED AND DETERMINED, that the establishment of the proposed district as set forth in said map, plan and report be approved; that the improvements therein mentioned be constructed by the petitioner; and such district shall be known and designated as the "Town of Orchard Park drainage district number 1-4 and shall be bounded and described as set forth as "Exhibit A" attached hereto and made a part hereof; and be it further

RESOLVED AND DETERMINED, that the improvements for such drainage district are to be constructed by, Nexgen Development II, LLC, the owner of the "Exhibit A" premises, solely at its own expense, and it has offered to convey the same without cost to the Town of Orchard Park, free and clear of encumbrances

except the right of access to said improvements by adjoining land owners; that the costs of maintaining said drainage district shall be born by the owners of properties benefitted thereby; and be it further

RESOLVED AND DETERMINED, that the Town Clerk be and hereby is authorized and directed to file a certified copy of this resolution in the office of the Clerk of the County of Erie, which is the County in which the said Town of Orchard Park is located, and the office of the State Department of Audit and control, within 10 days after the adoption of this resolution, pursuant to the provisions of Section 195 of the Town Law.

The resolution was unanimously adopted.

PUBLIC COMMENT ON OLD BUSINESS

No one came forward

Old Business #1 Revisit the Public Hearing from March 16, 2022 regarding rezoning V/L, Lake Ave. located between 6007 and 5971 Lake Ave, SBL #152.15-1-16.

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

RESOLVED, to rezone V/L, Lake Ave., located between 6007 and 5971 Lake Avenue (SBL# 152.15-1-16) from I-1 to R-3, for the purpose of creating a usable parcel, as petitioned by Paul Reamsnyder of The Spectrum Team and be it further

RESOLVED, that a complete metes and bounds description of this property together with a surveyor's map is on file in the Town Clerk's Office for on site inspection during regular business hours.

The resolution was unanimously adopted.

PUBLIC COMMENT ON NEW BUSINESS

No one came forward

New Business #1 Approve Special Event Walk for Cystic Fibrosis Foundation to be held May 14, 2022.

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

RESOLVED, that the Town Board does hereby approve the Special Event permit for the Cystic Fibrosis Foundation, Orchard Park Great Strides Fundraising Walk to be held on May 14, 2022.

The resolution was unanimously adopted.

New Business #2 Town Board to schedule a public hearing for May 4, 2022 at 7:00PM regarding a no smoking/vaping law in the parks of Orchard Park.

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

RESOLVED, that the Town Board is hereby authorized to schedule a Public Hearing regarding a no smoking/vaping law in the parks of Orchard Park on May 4, 2022 at 7:00PM (local time), and be it further

RESOLVED, that the Town Clerk is hereby directed to publish due notice thereof.

The resolution was unanimously adopted.

New Business #3 Town Board to schedule a Public Hearing for May 4, 2022 at 7:00PM regarding lot coverage in R1 and R2 zones.

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

RESOLVED, that the Town Board is hereby authorized to schedule a Public Hearing regarding lot coverage in R1 and R2 zones on May 4, 2022 at 7:00PM (local time), and be it further

RESOLVED, that the Town Clerk is hereby directed to publish due notice thereof.

The resolution was unanimously adopted.

New Business #4 Town Board to approve work order #4 for the CIPP Rehabilitation contract with United Survey, Inc. not to exceed \$409,286.50.

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

WHEREAS, the SW&L Department is continuing to perform video inspections of the Town's sanitary sewer infrastructure. United Survey Inc. was awarded a contract to perform Cured-In-Place Pipe Lining throughout various areas in the Town. The contract was awarded as a 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 and prioritized by SW&L Department and the Engineering Department. The Town has lined over ±11,864 LF to date; and

WHEREAS, the following two Work Orders are complete: Work Order #1, released in September 2020 to rehabilitate the sanitary main on the west side of North Benzing Road (2,643 LF). Cost of Work Order #1 was \$83,888. Work Order #2 released in February 2021 to rehabilitate the sanitary main on a portion of Bussendorfer Road (3,454 LF), California Road between Duerr Road and Armor Duells Road (1,363 LF), and a portion of Duerr Road (327 LF). Cost of Work Order #2 was \$180,986; and

WHEREAS, Work Order #3 released in August 2021 to rehabilitate the sanitary mains on Shultz Road (874 LF), Meadowlawn Road (1,754 LF) and Middlesex Road (1,449 LF), all these roads are off Abbott Road. There remains a portion of Work Order #3 not complete. This area is located on Southwestern Boulevard between Mid County Drive and Pleasant Avenue (3,308 LF). This work has started and is scheduled to be completed; and

WHEREAS, the contract amount completed/paid to date for Work Order #3 is \$132,239. This amount does not include the work on Southwestern Boulevard (3,308 LF). The anticipated cost to complete the Southwestern Boulevard section is \$106,131. This brings the total contract amount for Work Order #1, 2, & 3 to \$503,244; and

WHEREAS, the Engineering Department has assembled and is recommending the release of Work Order #4. This work order will include the following streets: Forsythia Court, ±983 LF of Vitrified Clay Pipe (VCP), Red Fox Lane +/-1293 LF of Vitrified Clay Pipe (VCP), Willowbrook Drive +/-191 LF of Vitrified Clay Pipe (VCP), Webster Road (south side) ±4929 LF of Asbestos Cement Pipe (ACP), Webster Road (north side) ±1662 LF of Asbestos Cement Pipe (ACP), Deacon Street ±794 LF of Asbestos Cement Pipe (ACP), North Buffalo Street (west side) ±1554 LF of Asbestos Cement Pipe (ACP); and

WHEREAS, the section lined on Webster Road runs between Breem Street east to North Buffalo Street. This section has experienced major repairs over the last several years; and

WHEREAS, the section on North Buffalo Street runs from Webster Road south to Holland Lane. The sewer main is located in a wooded area that is only accessible from the backyards of the homes and from parking lots of business on North Buffalo Street; and

WHEREAS, this section will require additional work by the contractor to access and will require an additional expense to line this portion of sewer main. This work scope is not included with the County of Erie contract. The extra cost will be added to the final proposal for Work Order #4 and is estimated at \$4,500; and

WHEREAS, the total cost of Work Order #4 is \$404,786.50 and the cost of the additional work on North Buffalo Street is \$4,500.00 for a total of \$409,286.5. This will bring the current contract expenditures to \$912,530.50, roughly 91% of the authorized original contract amount; and

WHEREAS, once work commences on Work Order #4, we will begin to assemble Work Order #5 lining projects targeting older, smaller neighborhoods within District 18 Oakwood, Allen, Glen, and other areas of need. Some of the older neighborhoods in need of rehabilitation are part of smaller 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 G0007 \$1,515,000, "Sanitary Sewer Main Televising and Relining" for this work.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby adopt the following resolution to approve Work Order #4 for the CIPP Rehabilitation contract with United Survey Inc., 25145 Broadway Avenue, Cleveland, Ohio 44146, in the amount not to exceed \$409,286.50 upon recommendation by the Town Engineer.

The resolution was unanimously adopted.

New Business #5 Town Board to authorize the Supervisor to sign the New York State Department of Conservation SPDES (#NYR20A137) General Permit #GP-0-10-002, for MS4s Municipal Compliance Certification.

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

WHEREAS, 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 2021-2022 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; and

WHEREAS, 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 Supervisor.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby authorize the 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 #6 Town Board to schedule a public information meeting for Wednesday May 18, 2022 at 7:00PM to receive public comment on the draft Stormwater Phase II annual report.

13) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR MAJCHRZAK, WHO MOVED ITS ADOPTION, SECONDED BY CONCILMEMBER FLYNN, TO WIT:

WHEREAS, 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 2021-2022 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; and

WHEREAS, 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 Supervisor.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby schedule a public informational meeting for Wednesday, May 18, 2022, at 7:00 pm, to receive public comment on the draft Stormwater Phase II annual report as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #7 Award bid for 5033 Ellicott Road hydrant replacement.

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

WHEREAS, the Erie County Water Authority (ECWA) has notified the Town that a Hydrant has been placed out of service near 5033 Ellicott Road due to a leaking issue. A Scope of work was assembled including replacement of the hydrant, valve, and tee. Four proposals were returned. Sergi Contracting Inc. submitted the lowest quote to complete the work for \$14,945.00; and

WHEREAS, the Town is required to incur the replacement cost per lease management agreement between the Town of Orchard Park and ECWA. Capital Account FX-006 "Town Wide Water Improvements" currently has funding \$351,232.69 to cover the repair.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby award the contract for Hydrant Replacement at 5033 Ellicott Road to the lowest responsible bidder, Sergi Contracting Inc., 775 Jewett Holmwood Road, East Aurora, NY 14052 in an amount not to exceed \$14,945.00 upon recommendation by the Town Engineer.

The resolution was unanimously adopted.

New Business #8 Award bid for 5112 Bussendorfer Road hydrant replacement.

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

WHEREAS, the Erie County Water Authority (ECWA) has notified the Town that a Hydrant has been placed out of service near 5112 Bussendorfer Road due to a leaking issue. A Scope of work was assembled including replacement of the hydrant, valve, and tee. Four proposals were returned. Fairway Contracting submitted the lowest quote to complete the work for \$13,449.43; and

WHEREAS, the Town is required to incur the replacement cost per lease management agreement between the Town of Orchard Park and ECWA. Capital Account FX-006 "Town Wide Water Improvements" currently has funding \$351,232.69 to cover the repair.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby award the contract for Hydrant Replacement at 5112 Bussendorfer Road to the lowest responsible bidder, Fairway Contracting, PO Box 352, Orchard Park, NY 14127 in an amount not to exceed \$13,449.43 upon recommendation by the Town Engineer.

The resolution was unanimously adopted.

New Business #9 Town Board to approve the Building Department to purchase a 2022 Ford Escape.

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

WHEREAS, the Building Department is in need of a vehicle and the funds are already in the budget for this year; #B0-3620-50214.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby authorize the purchase of a new 2022 Ford Escape from Delacy Ford under the Government contract #PC66774 for \$26,979.00 for the Orchard Park Building Inspector Department, as recommended by the Building Inspector.

The resolution was unanimously adopted.

New Business #10 Town Board to authorize the Supervisor to sign the 2022 Parks & Grounds Agreement with Orchard Park Little Loop Football.

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

RESOLVED, that the Town Board does hereby authorize the Supervisor to sign the 2022 Parks & Grounds Agreement with Orchard Park Little Loop Football.

The resolution was unanimously adopted.

New Business #11 Town Board to approve the appointments of the 2022 Recreation Department's Part Time Summer staff.

18) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER HONER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER LIBERTI, TO WIT

RESOLVED, that the Town Board does hereby approve the following for appointment to the staff of the Town of Orchard Park Recreation Department Summer 2022:

Michael Bardwell	\$17.50	Ethan Hallett	\$15.50	Diana Menz	\$15.50
Abbey Black	\$17.50	Griffin Harrigan	\$15.50	Jordan Moran	\$15.50
Emily Blake	\$16.00	Leah Harrigan	\$15.50	Sullivan Murphy	\$15.00
Guinevere Brady	\$15.50	Kristen Heard	\$15.00	Mark Nemec	\$15.50
Jessica Carey	\$16.00	Emma Heppner	\$15.50	Amaya Neuwirth	\$15.50
Natalie Alfano	\$15.50	Grace Hinterberger	\$15.50	Avery O'Brien	\$16.00
Andrew Armstrong	\$15.50	Madison Hornung	\$17.00	Breck O'Connor	\$15.50
Genevieve Arnold	\$15.50	Christina Hrusa	\$16.75	Madison Owczarzak	\$15.00
Zoe Aylsworth	\$16.00	Lauren Hrusa	\$15.50	Kaitlyn Patronki	\$16.00
Olivia Bahun	\$15.50	Jessica Humby	\$16.00	Mikayla Perry	\$15.00
Maura Bleech	\$15.50	Maxwell Ilkiwskjy	\$15.00	Claire Rahuba	\$15.50
Emma Brown	\$15.50	Olivia Ippolito	\$15.50	Lauren Radford	\$15.50
Robert Brozyna	\$15.50	Andrew Johnson	\$16.00	Andrew Relosky	\$15.00
Peyton Buell	\$16.00	Emma Johnson	\$16.00	Jeffery Roberts	\$15.50
Jaimeson Canny	\$15.50	Mara Johnson	\$16.00	Robert Roche	\$16.00
Jane Carroll	\$16.00	Molly Joyce	\$17.50	Rebecca Roe	\$16.75
Julianne Carter	\$15.50	Abigail Kane	\$15.00	Daucoda Ross	\$15.50
Bradley Casto	\$15.50	Mike Kane	\$16.00	Nicole Rzepka	\$15.50
Owen Casto	\$15.00	Jack Kinsman	\$17.50	Courtney Schaeffer	\$15.00
Anna Childs	\$15.50	Chloe Kirby	\$15.00	Grace Scott	\$16.00
Mollie Collins	\$16.75	Anders Kjellstrom	\$16.00	Elizabeth Scott	\$16.00
Gabriel D'Angien	\$15.00	Kelly Kubiak	\$16.00	Garrett Senfield	\$15.00
Teagan Dodson	\$15.50	Maria Kubiak	\$17.50	Molly Sheehan	\$15.50
Courtney Donovan	\$17.50	William Linton	\$17.50	Cheyenne Sikes	\$15.00
Heather Dunlap	\$15.00	Grace Loughran	\$15.50	Adrianna Smith	\$15.00
Claire Dunwoodie	\$17.50	Rachael Major	\$16.75	Carmila Stafford	\$16.75
Madeline Feldman	\$16.75	Gianna Mainella	\$15.00	Sebastian Stafford	\$15.50
Cassie Fowler	\$15.50	Jordyn Malinowski	\$16.75	Shelby Suto	\$15.50
Jaime Gaiser	\$15.50	Sarah Mangino	\$18.00	Breanna Totaro	\$15.50
Nyna Garduno	\$15.00	Abigail Marino	\$15.50	Mary Updike	\$15.00
Brittney Gawel	\$15.50	Amy Masciale	\$17.50	Olivia Vail	\$15.50
Amy Grossman	\$20.00	Eve McMullen	\$17.50	Abigail Vendura	\$17.50
Colden Grossman	\$16.00	Julia McMullen	\$15.50	Collin Walh	\$16.00
Sydney Grossman	\$17.50	Mason McMullen	\$17.00	Cassidy Whalen	\$15.50
Madison Guarino	\$15.50	Tanner McMullen	\$17.50	Alyssa Zielinski	\$15.50

The resolution was unanimously adopted.

New Business #12 Town Board to approve the appointment of Public Safety Dispatcher Christian Trigilio to the position of temporary IT Support.

19) This item has been tabled by Supervisor Majchrzak.

New Business #13 Town Board to appoint Shane M. Rogers to the position of Police Officer in the Orchard Park Police Department effective April 7, 2022.

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

RESOLVED, that the Town Board does hereby approve the appointment of Shane M. Rogers to the position of Police Officer in the Orchard Park Police Department, Step A, effective April 7, 2022, as recommended by the Chief of Police.

The resolution was unanimously adopted.

New Business #14 Town Board to promote Police Officer Darryl A. Purucker to the position of Detective (probationary) effective April 9, 2022.

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

RESOLVED, that the Town Board does hereby promote Police Officer Darryl A. Purucker to the Position of Detective, (probationary) effective April 9, 2022, with a rate of pay as defined in the Collective Bargaining Agreement as recommended by the Chief of Police.

The resolution was unanimously adopted.

New Business #15 Town Board to appoint Brian O'Connor to the position of Blue Collar Laborer for the Sewer, Water and Lighting Department effective April 18, 2022 at an hourly pay rate of \$22.00.

22) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER LIBERTI, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER HONER, TO WIT:

RESOLVED, that the Town Board does hereby appoint Brian O'Connor to the position of Blue Collar Laborer, Step 1 of the Blue Collar Contract to the Sewer, Water and Lighting Department. This position is effective April 18, 2022 with a pay rate of \$22.00 per hour, as recommended by the Highway Superintendent.

The resolution was unanimously adopted.

New Business #16 Town Board to appoint Dave Helwig to the position of Seasonal Compost employee effective April 11, 2022 at an hourly pay rate of \$21.15.

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

RESOLVED, that the Town Board does hereby appoint Dave Helwig to the position of Seasonal Compost employee, to be effective April 11, 2022 with a pay rate of \$21.15 per hour coding SR8161 50104, as recommended by the Highway Superintendent.

The resolution was unanimously adopted.

New Business #17 Town Board to approve the Police Budget Amendment for proceeds from the sale of shell casing recycling.

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

WHEREAS, the Town has received proceeds from the sale of shell casing recycling that were not included in the 2022 budget.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorize the amending of the 2022 adopted budget to authorize additional appropriations and estimated revenues in the amount of \$1,276:

Increase Appropriations:

PS3120 50409 PS – Ammunition/Range Fees \$1,276.00

Increase Estimated Revenues:

PS0000 42665 PS – Sale of Equipment \$1,276.00

The resolution was unanimously adopted.

New Business #18 Refer to the Planning & Conservation Boards

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

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

- 5378 Big Tree Road, located on the north side of Big Tree Road, west of California Road, Zoned R-3 and R-4. Applicant is requesting a Permit to operate a Short Term Rental at this location. (SBL#161.17-6-5)

The resolution was unanimously adopted.

BUSINESS FROM THE FLOOR

Amy Wierer spoke in opposition of the construction project at 6131 Newton Rd and questioned the property classification.

Eirene Choroser spoke in opposition of the construction project at 6131 Newton Rd and questioned the zoning ordinance.

Marc Braun spoke of the drainage issues associated with the construction project at 6131 Newton Rd.

William Ciszak expressed his concern regarding the zoning of 6131 Newton Rd and of questions raised after the project was approved by the Planning Board.

Maureen Nash spoke of her concerns regarding tree destruction and drainage issues from the 6131 Newton Rd construction project.

Lynette Benzinger questioned why neighbors were not notified of the construction project at 6131 Newton Rd before it was approved.

Laura Sweet spoke in opposition of the 6131 Newton Rd construction project citing traffic and environmental concerns.

Patricia Fenzl questioned the religious designation status of 6131 Newton Rd and the lack of neighbor notification for variance.

Brian Asci spoke in opposition of the construction project at 6131 Newton Rd and thanked the Chief of Police for observing the traffic conditions.

Russell Wierer spoke in opposition of the construction project at 6131 Newton Rd and expressed concern over the lack of opportunity for public comment before the project was approved.

ELECTED OFFICIALS & DEPARTMENT MANAGERS

Supervisor Eugene Majchrzak congratulated Police Officer Rogers & Detective Purucker, spoke of the Newton Rd construction project, and discussed coyote nuisance permits.

Councilmember Joseph Liberti congratulated Police Officer Rogers & Detective Purucker and spoke of the Newton Rd construction project.

Councilmember Conor Flynn thanked Councilmember Mombrea for joining him at Spot Coffee for Councilmembers Corner and spoke of the Newton Rd construction project.

Councilmember Scott Honer spoke of lighting for the Little Loop Football field and addressed residents' concerns for the Newton Rd construction project.

Highway Superintendent Andrew Slotman thanked the Police Department for their help with traffic control and informed residents that street sweepers are out and brush collection is starting.

Police Chief Patrick Fitzgerald congratulated Police Officer Rogers & Detective Purucker.

26) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR 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 #7 following auditing by members of the Town Board and in the funds indicated:

General Fund	\$84,343.33
Public Safety Fund	\$6,778.59
Part Town Fund	\$942.42
Risk Retention	-0-
Cemetery Fund	-0-
Highway Fund	\$49,839.81
Special Districts	\$3,852.59
Trust & Agency	\$2,081.52
Capital Fund	\$24,205.50

The resolution was unanimously adopted.

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

There being no further business, on a motion by Supervisor Majchrzak, seconded by Councilmember Flynn, the meeting adjourned at 9:11 pm (local time).

Respectfully Submitted,

**Remy C. Orffeo
Town Clerk**