

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 4th day of May 2022 at 7:09 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
(Absent) Joseph Liberti	Councilmember
Julia Mombrea	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	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.”

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

RESOLVED, that the Town Board does hereby approve the Regular Meeting Minutes: April 20, 2022 and Executive Sessions: April 20 & 27, 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 7:12PM (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.

No one came forward

2) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR MAJCHRZAK, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER MOMBREA, 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 7:14PM (local time).

The resolution was unanimously adopted.

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

WHEREAS, following due and timely notice, a public hearing relating to the matter of Local Law 2022-02 was conducted on May 4, 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 adopt Local Law 2022-02 which provides as follows:

Amending Chapter 144 Zoning §144-18 Adult Uses

ADULT BOOKSTORE

An establishment having as a substantial or significant portion of its stock-in-trade books, magazines, films for sale or viewing on premises, by use of motion-picture devices or any other coin-operated means, and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas, or an establishment with a segment or section devoted to the sale or display of such material.

ADULT ENTERTAINMENT CABARET

A public or private establishment which is licensed to serve food and/or alcoholic beverages, which features topless dancers, strippers, male or female impersonators or similar entertainers.

ADULT MINI-MOTION-PICTURE THEATER

An enclosed building with a capacity of less than 50 persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons therein.

ADULT MOTION-PICTURE THEATER

An enclosed building with a capacity of 50 or more persons used regularly and routinely for presenting material having as a dominant theme material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons therein.

CANNABIS DISPENSARIES

A fixed public or private establishment or facility, operated in accordance with New York state laws, local town laws and regulations where cannabis, and/or cannabis products are offered for retail sale.

PERSON

Any person, firm partnership, corporation, association or legal representative, acting individually or jointly.

SPECIFIED ANATOMICAL AREAS

Less than completely and opaquely covered human genitals, pubic region or female breast below a point immediately above the top of the areola; human male genitals in a discernibly turgid state, even if completely and opaquely covered.

SPECIFIED SEXUAL ACTIVITIES

Human genitals in a state of sexual stimulation or arousal; acts of human masturbation, sexual intercourse or sodomy; fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

- B. Restrictions for Adult uses, including but not limited to adult bookstore, adult motion-picture theater, adult mini-motion-picture theater, adult entertainment cabaret and cannabis dispensaries, shall be permitted, subject to the following restrictions.
 - (1) No such adult use shall be allowed within 1,500 feet of another existing adult use.
 - (2) No such adult use shall be located within 1,500 feet of the boundaries of any zoning district which is zoned exclusively for residential use (those zones designated R-1, R-2, R-3 or R-4).
 - (3) No such adult use shall be located within 1,500 feet of an existing school or place of worship.
 - (4) Adult uses shall be classified as a special exception use in the I-1 District and shall not commence operation until securing a permit pursuant to Article VI of this chapter, entitled "Special Uses."
 - (5) Adult use hours of operation will be 10:00 A.M. to 10:00 P.M.

- C. Registration.
 - (1) The owner of a building or premises, his agent for the purpose of managing or controlling or collecting rents or any other person managing or controlling a building or premises, any part of which contains an adult use, shall register the following information with the Town Clerk of the Town of Orchard Park:
 - (a) The address of the premises.
 - (b) The name and address of the owner of the premises and the names and addresses of the beneficial owners if the property is in a land trust.
 - (c) The name of the business or the establishment subject to the provisions of this section.
 - (d) The name(s) and address(es) of the owner, beneficial owner or the major stockholder(s) of the business or the establishment subject to the provisions of this section.
 - (e) The date of initiation of the adult use.
 - (f) The nature of the adult use.

- (g) If the premises or building is leased, a copy of said lease.
- (2) It is a violation of this section for the owner or person in control of any property to establish or operate thereon or to permit any person to establish or operate thereon an adult use without having properly registered said adult use with the Town Clerk.
- D. Display of registration. The owner, manager or agent of a registered adult use shall display in a conspicuous place on the premises of the adult use a copy of the registration filed with the Town Clerk.
- E. Public observation prohibited. No adult use shall be conducted in any manner that permits the observation of any material depicting, describing or relating to specified sexual activities or specified anatomical areas from any public way or from any property not registered as an adult use. This provision shall apply to any display, decoration, sign, show window or other opening.

Roll call vote:

Supervisor Majchrzak	Aye
Councilmember Flynn	Nay
Councilmember Mombrea	Aye
Councilmember Honer	Aye

The resolution was adopted.

PUBLIC HEARING

Proposed Local Law regarding Amending Chapter 117 Smoking §117-1

At 7:16PM (local time) Supervisor Majchrzak called for the Public Hearing to hear all interested parties regarding Proposed Local Law Amending Chapter 117 Smoking §117-1.

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

4) 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 close the Public Hearing regarding Proposed Local Law Amending Chapter 117 Smoking §117-1 at 7:18PM (local time).

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

WHEREAS, following due and timely notice, a public hearing relating to the matter of Local Law 2022-03 was conducted on May 4, 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 adopt Local Law 2022-03 which provides as follows:

§ 117-1 SMOKING PROHIBITED

- A. Purpose. The purpose of this section is to preserve the public health and welfare by creating a healthier community, a cleaner environment by prohibiting smoking of any kind in all Town Buildings, Town Parks, Playgrounds, Town Trails & Town Athletic Fields.
- B. Smoking of any kind, including, but not limited to vaping and the use of electronic cigarettes, is prohibited at all Town-owned land, buildings or structures or areas over which the Town has an easement, including Town Parks, Town Trails, Town Playgrounds, Town Athletic Fields, located in any Town Parks, regulated under this article. Smoking is also prohibited during any event permitted or sponsored by the Town.
- C. It is unlawful for any person to dispose of any smoking materials, including, but not limited to, cigarette/cigar butts and filters or vape cartridges within any Town Park, Town Trails, Town Playground or Town Athletic Field regulated under this article in any place other than a trash receptacle.

PENALTIES FOR OFFENSES:

Any person who shall violate any provision of this article shall be punished by a fine not to exceed \$250.

In addition to these penalties, the Town Supervisor or the designee of the Town Supervisor may revoke for a period of one year any and all Town-issued permits, licenses, and/or passes held by an individual in violation of this chapter. Further, any individual in violation of this chapter may be removed from, and refused admission to, any area stated in this chapter.

This local law shall take effect immediately upon filing with the New York Secretary of State. By filing Local Law 2022-03, the existing §117 Smoking will be repealed.

The resolution was unanimously adopted.

PUBLIC HEARING

Proposed Local Law regarding Amending Chapter 144 Zoning, Attachment 15 Supplemental Height, Lot, Yard and Bulk Regulations

At 7:19PM (local time) Supervisor Majchrzak called for the Public Hearing to hear all interested parties regarding Proposed Local Law Amending Chapter 144 Zoning, Attachment 15 Supplemental Height, Lot, Yard and Bulk Regulations.

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.

Jim Morganti requested clarification of the proposed local law.

Tom Johnson spoke in favor of the proposed local law.

6) 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 Proposed Local Law Amending Chapter 144 Zoning, Attachment 15 Supplemental Height, Lot, Yard and Bulk Regulations at 7:24PM (local time).

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

WHEREAS, following due and timely notice, a public hearing relating to the matter of Local Law 2022-04 was conducted on May 4, 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 adopt Local Law 2022-04 which provides as follows: A copy of Local Law 2022-04 with dimension regulations will be on file in the Town Clerk’s office during normal business hours.

The resolution was unanimously adopted.

PUBLIC COMMENT ON OLD BUSINESS

No one came forward

Old Business #1 Approve Change Order #1 to our contract with Union Concrete and Construction Corp for the Bussendorfer, Forsythia Phase 2 Drainage Improvement Project.

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

WHEREAS, the Engineering Department requests approval of a Change Order to the contract with Union Concrete & Construction Corporation for the Bussendorfer Forsythia Phase 2 Drainage Improvements Project in the amount of \$62,485.24. This would increase the total contract amount to \$995,187.88, representing an increase of 6.70%; and

WHEREAS, the Change Order requested is to revise the work scope under their contract to address several utility conflicts with the existing watermain along the east side of Bussendorfer Road. A sanitary sewer lateral at 5020 Bussendorfer Road was in conflict with the now 30"HDPE; and

WHEREAS, the existing watermain elevation and horizontal location was not where record drawings indicated it. Elevation and horizontal location conflicts with the proposed 30-inch HDPE storm drainage pipe on the east side of Bussendorfer Road requires the crossing watermain to be lowered and raise a hydrant to facilitate the project's storm piping installation; and

WHEREAS, this total amount is within the contingent amount, the conflict was significant and other quantities may be affected, resulting in a need for a Change Order; and

WHEREAS, there is presently funding under AD002 Bussendorfer Drainage \$839,781, but additional funding is needed and a meeting is scheduled with accounting.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby approve Forsythia Phase 2 Drainage Improvements Project in the amount not to exceed \$62,495.24 as recommended by the Town Engineer.

The resolution was unanimously adopted.

Old Business #2 Authorize Town Clerk to release \$2,000 held in cash security to Christopher Preischel of Preischel Brothers for the Excavation, Removal and Storage of Materials Permit #2021-01.

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

WHEREAS, On March 3, 2021, the Town Board granted approval of the Excavation, Removal, and Storage of Materials to fill (approximately 1,600 cubic yards of soil) the lot off Duerr Road for a future home construction. At that time, the applicant (Mr. Christopher Preischel of Hamburg, New York) provided a security cashier's check in the amount of \$2,000 in lieu of standard security bond, to be held until the work was completed and accepted by Orchard Park's Engineering Department; and

WHEREAS, the applicant has since completed his work, which was inspected by the Engineering Department and found to be in compliance with Town specifications.

NOW, THEREFORE, be it

RESOLVED, that the Town Clerk is authorized to release the cash security in the amount of \$2,000 to Mr. Christopher Preischel of Hamburg, New York for the Excavation, Removal, and Storage of Materials Permit #2021-01 as recommended by the Town Engineer.

The resolution was unanimously adopted.

PUBLIC COMMENT ON NEW BUSINESS

No one came forward

New Business #1 Approve wage rate increase for part-time Planning Clerk Anna Worang-Zizzi.

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

WHEREAS, Anna Worang-Zizzi has been employed in the Orchard Park Planning Department as a Planning Clerk (part time) since July 26, 2021; and

WHEREAS, Anna Worang-Zizzi has taken on the responsibilities of the Zoning Board of Appeals secretary; and

WHEREAS, the Zoning Board of Appeals is a specialized part of the planning department and requires great organizational skills, specialized knowledge in New York State Zoning laws, and the ability to attend evening meetings: and

WHEREAS Anna Worang-Zizzi has demonstrated excellent organizational skills, has become well versed in zoning laws and is available for evening meetings

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby approve a wage rate increase for Anna Worang-Zizzi, Planning Clerk (part-time) in the Planning Department in the amount of \$17.00 per hour (budget line B08020 50104) effective May 9, 2022.

The resolution was unanimously adopted.

New Business #2 Approve hiring part-time Records Management Clerk Michelle Faust.

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

WHEREAS, the Town Clerk's 2022 budget includes a budget line for part-time clerical help; and

WHEREAS, the Town Clerk's office is in need of a part-time records management employee; and

WHEREAS, Michelle Faust previously worked as a part-time records management employee under a Local Government Records Management Improvement Fund (LGRMIF) grant; and

WHEREAS, Michelle Faust is available to work in the Town Clerk's office as a Records Management Clerk (part-time)

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby approve hiring Michelle Faust as a Records Management Clerk (part-time) at an hourly rate of \$16.00 per hour effective May 9, 2022 (budget line A01410 50104).

The resolution was unanimously adopted

New Business #3 Approve the OPPD/Special Olympics Torch Run to be held May 25, 2022.

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

RESOLVED, that the Town Board does hereby approve a Special Events Permit for OPPD/Special Olympics Torch Run to be held on May 25, 2022 at 1:30 PM.

The resolution was unanimously adopted.

New Business #4 Approve the Lindsay Matthews 5K Run & 1 Mile Walk to be held July 31, 2022.

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

RESOLVED, that the Town Board does hereby approve a Special Events Permit for the Lindsay Matthews 5K Run & 1 Mile Walk to be held on July 31, 2022 at 9:45 AM.

The resolution was unanimously adopted.

New Business #5 Approve the Chase the Sun Summer Solstice 5K Run to be held June 17, 2022.

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

RESOLVED, that the Town Board does hereby approve a Special Events Permit for the Chase the Sun Summer Solstice 5K Run to be held on June 17, 2022 at 9:45 AM.

The resolution was unanimously adopted.

New Business #6 Authorize Supervisor to sign agreement with C&S Companies for professional services for the design of (2) Emergency Generator Systems for the Orchard Park Community Activity Center, Senior Side/Building Life Support and (1) for the remaining Facility Project.

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

WHEREAS, the Town of Orchard Park has been awarded a State grant to install one of the two required generators for the Community Activity Center; and

WHEREAS, the Engineering Department has solicited a proposal for professional services from C&S Companies. Their scope involves visiting the site, and updating all previous work for the previously designed generators system. The proposed tasks include building need, site measurements, code review, current design, documents, bidding, construction inspection and closeout. C&S has completed previous jobs for Orchard Park in the past and has always exceeded expectations; and

WHEREAS, a CDBG CARES grant was received and funding is allocated under Capital Project ABOO4 Brush Mountain Community Activity Center Building.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the Supervisor to sign an agreement with C&S Companies for professional electrical design, bidding and construction services, for the Brush Mountain Community Activity Center (Senior Center) Generators, in an amount not to exceed \$18,788 as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #7 Authorize the Supervisor to approve the Execution of the Grant Agreement with New York State Community Development Block Grant (CARES Act).

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

WHEREAS, the Town has been awarded a grant for Senior Center Improvements. The grant program is the New York State CDBG - Coronavirus Aid, Relief and Economic Security Act (CARES); and

WHEREAS, the scope of work to be completed under this grant is the installation of backup generator power for the facility, seven (7) automatic door openers and twenty (20) laptop computers; and

WHEREAS, the estimated cost of the project is \$967,154 +, the grant award is \$391,154 and the required Town match is \$576,000 +; and

WHEREAS, the first step in the grant process is to sign a copy of the agreement and send back to New York to be fully executed.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the Supervisor to sign, execute and electronically submit the CDBG-CV Grant Agreement with New York State (Housing Trust Fund Corporation - HTFC) for the Town of Orchard Park Senior Center Improvements as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #8 Authorize the Supervisor to sign the agreement with C&S Companies for professional services for the design development of a Master Plan for the Orchard Park Highway Facility Project.

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

WHEREAS, for the past several years, the Town has considered making needed improvements to the Orchard Park Highway Facility; and

WHEREAS, a detailed scope of work and proposed fee has been negotiated with C&S Companies to complete the design documents for a Feasibility Study and Master Plan for the Orchard Park Highway Facility Master Plan Project; and

WHEREAS, the plan will include building condition assessments, space planning analysis to determine vehicle and equipment storage needs, and provide recommendations for renovations of existing or for new facilities in an overall facility master plan; and

WHEREAS, the main priority focus will be the fuel tank system updates, needs and repairs. Also needed are salt barn repairs, and how they are located with a master plan. Design phase will start as needed for these two projects; and

WHEREAS, the equipment storage needs for plow trucks etc. and the possible demo and relocation of the old topsoil building will be addressed as a second priority as well. A master plan for addressing future needs will be detailed and a plan layout/report developed; and

WHEREAS, funds have been allocated under Capital Projects ABOO8 Highway Building, AB013 Highway, Sewer, Parks Generator Install and AB007 Orchard Park Municipal Building.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the Supervisor to sign an agreement with C&S Companies of Watertown, New York to provide professional design services for a Feasibility Study and Master Plan for the Orchard Park Highway Facility Project for a lump sum fee of \$31,720, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #9 Approve Mobile Food Vending Permit for Polish Villa 2 U Food Truck.

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

WHEREAS, a certificate of Liability insurance has been provided; and

WHEREAS, the Operating Permit fee and Town of Orchard Park Mobile Vending Permit fee have been paid; and

WHEREAS, Polish Villa 2 U food truck has agreed to comply with the Town of Orchard Park Town Code and policies.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby approve the Mobile Food Vending Permit of the Polish Villa 2 U Food Truck in the Town of Orchard Park for the year 2022 pending a completed and approved inspection by the Town of Orchard Park Fire Inspector.

The resolution was unanimously adopted.

New Business #10 Refer to the Planning and Conservation Boards for review and recommendation.

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

1. V/L Webster Road, located at the south side Webster Road, west of Orchard Park Road Zoned-R-3. Prodigy Webster Road LLC is requesting to Rezone V/L, from R-3 to B-3, to construct a “Medical Office Building”. (SBL# 161.00-3-28.1).

2. 275 Thorn Avenue, located on the south side of Thorn Avenue, east of Duerr Road, Zoned B-2. 275 Thorn Property LLC is requesting to construct a Warehouse/Office Building, with associated Parking and Site Improvements. (SBL# 172.11-1-5)

The resolution was unanimously adopted.

BUSINESS FROM THE FLOOR

Kathleen Monteleone spoke regarding zoning at 105 Mid County Dr.

Jim Morganti spoke against rezoning V/L Webster Rd (SBL #161.00-3-28.1) from R-3 to B-3.

Maureen Nash inquired about minutes from the Planning Board meeting held on April 14, 2022.

Laura Sweet spoke against the Wabick project at 6131 Newton Rd and feels that requested information is being withheld by certain departments. She also spoke of water and mud issues resulting from this project.

Ed Michalski spoke against rezoning V/L Webster Rd (SBL #161.00-3-28.1) from R-3 to B-3.

Jeff Guyett spoke against rezoning V/L Webster Rd (SBL #161.00-3-28.1) from R-3 to B-3.

Eirene Choroser expressed concerns regarding the lack of availability of the April 14, 2022 Planning Board meeting minutes. She also spoke against rezoning Webster Rd.

ELECTED OFFICIALS & DEPARTMENT MANAGERS

Supervisor Eugene Majchrzak reiterated his stance on cannabis and commented on safely planning the ECRT.

Councilmember Conor Flynn encouraged residents to participate in the approved 5K run/walks and get outside to support good causes. He also discussed working together with Hamburg on new Stadium issues moving forward.

Councilmember Scott Honer clarified his stance on cannabis and feels the NYS mandate is flawed due to the unique circumstances of having a two member Town Board in 2021.

Councilmember Julia Mombrea encouraged residents to take advantage of the nice weather and support the upcoming 5K run/walks.

Town Clerk Remy Orffeo addressed concerns and clarified the availability of Planning Board meeting minutes.

Town Engineer Wayne Bieler addressed concerns regarding pond, well, and water pumping issues at 6131 Newton Rd.

Highway Superintendent Andrew Slotman thanked Benning Road residents for cleaning up garbage in their neighborhood. He also informed residents that the Compost Facility is currently open Saturdays 8:00AM-12:00PM.

Police Chief Patrick Fitzgerald reminded residents to not leave their cars running, unlocked or unattended. This will help prevent auto thefts.

20) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR MAJCHRZAK, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER MOMBREA, 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	\$57,781.37
Public Safety Fund	\$30,140.46
Part Town Fund	\$1,045.64
Risk Retention	-0-
Cemetery Fund	-0-
Highway Fund	\$14,371.32
Special Districts	\$4,168.97
Trust & Agency	\$22,472.68
Capital Fund	\$310,160.60

The resolution was unanimously adopted.

There being no further business, on a motion by Supervisor Majchrzak, seconded by Councilmember Honer, the meeting adjourned at 8:11 PM (local time).

Respectfully Submitted,

**Remy C. Orffeo
Town Clerk**