

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 15th day of June 2022 at 7:00 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	Councilmember
(absent) Remy Orffeo	Town Clerk
Jennifer Brady	Deputy Town Clerk
Timothy D. Gallagher	Town Attorney
Steve Bremer	Building Inspector
Patrick Fitzgerald	Chief of Police
Andrew Slotman	Highway Superintendent
(absent) 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 LIBERTI, TO WIT:

RESOLVED, that the Town Board does hereby approve the Regular Meeting Minutes: June 1, 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.

******* SPECIAL PRESENTATION *******

SENIOR YOUTH COURT AWARDS		
Kamyryn Carter	Joshua Devaprasad	Matthew Norvalitis
Kelly Barnes	Graham Digelman	Matteo Joslyn
Owen Vincek	Nolan Watson	

Youth Court Director John Payne and the Executive Staff of Youth Court gave Awards & Scholarships to the seniors graduating through the Youth Court Program.

PUBLIC HEARING
Proposed Rezoning of SBL #161.00-3-26 V/L Taylor Rd.

At 7:20PM (local time) Supervisor Majchrzak called for the Public Hearing to hear all interested parties regarding the proposed rezoning of SBL #161.00-3-26 V/L Taylor Rd. from R-3 to D-R (Development and Research).

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 Deputy Town Clerk.

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

Lindsay Riggs spoke against this rezoning.
Jenn Swoboda spoke against this rezoning.
Diana Dinardo spoke against this rezoning.
Joy Higgins spoke against this rezoning.
Jessica Rodriguez spoke against this rezoning.
Eric Swoboda spoke against this rezoning.

2) 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 for proposed rezoning of SBL #161.00-3-26 V/L Taylor Rd. at 7:30PM.

The resolution was unanimously adopted.

3) The adoption of rezoning SBL #161.00-3-26 was tabled.

**PUBLIC HEARING
Proposed Rezoning of SBL #161.19-2-1 V/L Taylor Rd.**

At 7:20PM (local time) Supervisor Majchrzak called for the Public Hearing to hear all interested parties regarding the proposed rezoning of SBL #161.19-2-1 V/L Taylor Rd., from R-3 to D-R (Development and Research).

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 Deputy Town Clerk.

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

Lindsay Riggs spoke against this rezoning.
Jenn Swoboda spoke against this rezoning.
Diana Dinardo spoke against this rezoning.
Joy Higgins spoke against this rezoning.
Jessica Rodriguez spoke against this rezoning.
Eric Swoboda spoke against this rezoning.

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 for proposed rezoning of SBL #161.19-2-1 V/L Taylor Rd. at 7:30PM.

The resolution was unanimously adopted.

5) The adoption of rezoning SBL #161.19-2-1 was tabled.

PUBLIC COMMENT ON OLD BUSINESS

No one came forward

Old Business #1 Approve Intermunicipal Snow Removal and Ice Control Agreement

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

RESOLVED, that the Orchard Park Town Board does hereby authorize the Supervisor to execute the proposed Erie County 2022-2025 Intermunicipal Snow Removal and Ice Control Agreement, as recommended by the Highway Superintendent.

The resolution was unanimously adopted.

PUBLIC COMMENT ON NEW BUSINESS

No one came forward

New Business #1 Accept resignation of Orchard Park Town Justice The Honorable Edward A. Pace.

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

WHEREAS, the Hon. Edward A. Pace has served as an Orchard Park Town Justice since January 1, 2001; and

WHEREAS, the Hon. Edward A. Pace has accepted an appointment as a New York State Supreme Court Justice.

NOW, THEREFORE be it

RESOLVED, that the Orchard Park Town Board does hereby accept the resignation of The Hon. Edward A. Pace as an Orchard Park Town Justice, effective June 3, 2022.

The resolution was unanimously adopted.

New Business #2 Appoint Acting Town Justice The Honorable Dean Puleo.

This item was tabled.

New Business #3 Approve a Conference for the Building Department.

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

WHEREAS, employees need to attend continuing education seminars to stay apprised of changes in their fields and departments; and

WHEREAS, the Town of Orchard Park benefits from its employees taking such approved seminars.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby approve a representative of the Building Department to attend a proposed seminar.

The resolution was unanimously adopted.

New Business #4 Approve appointment of Ed Leak as the Director of Recreation Parks & Forestry Department.

9) 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 appoint Ed Leak as the Director of Recreation Parks & Forestry Department at the stipend approved in the Town’s 2022 budget for the term from July 1, 2022 to December 31, 2022.

The resolution was unanimously adopted.

New Business #5 Appoint 2022 part-time summer staff for Orchard Park Recreation and Parks Department.

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

RESOLVED, that the Town Board is hereby authorized to approve the following residents appointments to the 2022 part-time Summer staff for the Orchard Park Recreation and Parks Department retroactive to June 9, 2022 as recommended by the Recreation Director:

Lauren Cartonia	\$15.00	Heather Reimondo	\$15.50
Isabella Higgins	\$16.00	Gina Sacca	\$15.00
Kelsey Robertson	\$15.00	Alex Tills	\$15.00

The resolution was unanimously adopted.

New Business #6 Accept a donation from the Community Activity Council of Orchard Park.

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

WHEREAS, the seniors at the Orchard Park Community Activity Center have an interest in a sound system in the dining room; and

WHEREAS, a sound system in the dining room of the Community Activity Center will enhance the experience of seniors at the Center; and

WHEREAS, the Community Activity Council has determined this is a worthwhile project; and

WHEREAS, the Community Activity Council officially decided to fund this project in the amount of \$21,304.96; and

WHEREAS, the Community Activity Center Coordinator recommends accepting the donation of \$21,304.96.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby accept \$21,304.96 from the Community Activity Council to fund a sound system in the dining room of the Activity Center.

The resolution was unanimously adopted.

New Business #7 Accept a bid for the Commercial Grade AV System for the Community Activity Center.

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

WHEREAS, sealed bids were opened for a "Commercial Grade AV System" for the Community Activities Center on June 10, 2022 at 2:00 pm; and

WHEREAS, two companies, Southtown Audio Video and Cinema and Sound WNY submitted bids; and

WHEREAS, both companies are more than capable of completing this project in the time frame identified; and

WHEREAS, Cinema and Sound WNY was the lowest bidder at \$21,304.96.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby award the contract for a "Commercial Grade AV System" to the lowest responsible bidder, Cinema and Sound WNY, in an amount not to exceed \$21,304.96 upon the recommendation of the Community Activity Center Coordinator.

The resolution was unanimously adopted.

New Business #8 Schedule a Public Hearing regarding the rezoning of SBL #172.07-1-7

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

WHEREAS, the following property located in the Town of Orchard Park, locally known as SBL #172.07-1-7 is presently zoned R-3; and

WHEREAS, the Town of Orchard Park has determined that it would be in the best interest of the community at large for said property to be rezoned Development and Research (D-R); and

WHEREAS, the owner of said property is purported to be The First Baptist Church; and

WHEREAS, a metes and bounds description and an accurate map/survey is on file with the Town of Orchard Park Town Clerk; and

WHEREAS, the present use of the property is R-3 and could be used for Two Family Homes, Tourist Homes and Multiple Dwellings (a complete list is available in the Town Clerk's office), and in rezoned D-R state the property could be used for Business and Professional Offices, Warehousing and Distribution (a complete list is available in the Town Clerk's office),

NOW THEREFORE, under the authority of the Town of Orchard Park Ordinances Sections 144-66 through 144-69, be it

RESOLVED, that:

- 1) Notice to adjoining landowners be sent as required by Section 144-67 concerning the proposed rezoning, and
- 2) A hearing to consider said rezoning be scheduled for Wednesday, July 20, 2022 at 7:00 PM in the Municipal Center, 4295 South Buffalo Street

The resolution was unanimously adopted.

BUSINESS FROM THE FLOOR

Scott Gburek spoke of a property near his home that contained dilapidated vehicles and another that had a shed that was too close to his property line. He also asked why Orchard Park residents are not supplied with garbage cans.

Lindsay Riggs inquired about cars speeding in the Pleasant Acres West subdivision.

Landan Knowles asked when the Town would allow solicitors/peddlers to canvas the Town again.

ELECTED OFFICIALS & DEPARTMENT MANAGERS

Supervisor Eugene Majchrzak congratulated Youth Court and The Honorable Ed Pace on his appointment to the Supreme Court.

Councilmember Joseph Liberti thanked The Honorable Ed Pace for his years of service and recognized Youth Court's great service.

Councilmember Conor Flynn congratulated the Youth Court graduates and The Honorable Ed Pace on his promotion. He also stated the Board should revisit pandemic restrictions with regard to permits.

Councilmember Scott Honer congratulated The Honorable Ed Pace on his promotion to Supreme Court and congratulated the graduating class of Youth Court.

Councilmember Julia Mombrea thanked Judge Pace for his 22 years of service to Orchard Park. She also thanked residents for coming out to voice their needs regarding the proposed rezonings in their neighborhood.

Town Engineer Wayne Bieler spoke of Bussendorfer grading.

Building Inspector Steve Bremer stated he will send an officer to the property a resident questioned about having dilapidated cars and shed in their yard.

Highway Superintendent Andrew Slotman thanked the Engineering Department for the Road/Pavement Assessment. He also stated that they will be paving the milled streets: Bender, Burbank, Glendale, Kings & Queens.

Police Chief Patrick Fitzgerald congratulated the DARE graduates from Windom Elementary. He also congratulated the Youth Court graduates.

14) 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 #12 following auditing by members of the Town Board and in the funds indicated:

General Fund	\$233,876.32
Public Safety Fund	\$59,900.12
Part Town Fund	\$1,207.58
Risk Retention	-0-
Cemetery Fund	-0-
Highway Fund	\$237,708.97
Special Districts	\$119,548.02
Trust & Agency	\$987.61
Capital Fund	\$14,122.00

The resolution was unanimously adopted.

REPORTS

15) 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 receive and file the January, February, March, April and May 2022 Building Inspector’s Monthly Report.

The resolution was unanimously adopted.

There being no further business, on a motion by Supervisor Majchrzak, seconded by Councilmember Flynn, the meeting adjourned at 7:55 pm (local time).

Respectfully Submitted,

**Remy C. Orffeo
Town Clerk**