

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 July 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
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 15, 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.

****** PROCLAMATION FOR THE ORCHARD PARK YOUTH RUGBY CLUB ******

Chairperson for the Recreation Commission Audrey Ramage and Councilmember Scott Honer presented a proclamation honoring the Orchard Park Youth Rugby Club.

PUBLIC COMMENT ON OLD BUSINESS

No one came forward

Old Business #1 Approve the rezoning of SBL #161.00-3-26 V/L Taylor Road from R-3 to D-R (Development and Research)

2) This item was tabled.

Old Business # 2 Approve the rezoning of SBL #161.19-2-1 V/L Taylor Road from R-3 to D-R (Development and Research)

3) This item was tabled.

PUBLIC COMMENT ON NEW BUSINESS

No one came forward

New Business #1 Approve appointment of Detective Darryl Purucker as the Director of Youth Court.

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

WHEREAS, Former Youth Court Director Det. John Payne is now retired; and

WHEREAS, the Director of the Youth Court is a police officer and 2022 funding for this position is provided through the Police Department budgeted payroll;

WHEREAS, a Detective specializing in Youth Services has been recently promoted and assigned; and

WHEREAS, the Chief of Police recommends that Youth Services Detective Darryl Purucker be selected to lead and direct the Orchard Park Youth Court.

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Chief of Police, Detective Darryl Purucker be appointed the Director of Youth Court, effective June 16, 2022.

The resolution was unanimously adopted.

New Business #2 Approve Appointment of Christian Trigilio to the position of Assistant Network Coordinator.

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

WHEREAS, the IT Department has a vacancy for Assistant Network Coordinator; and

WHEREAS, The Chief of Police has approved the transfer of Public Safety Dispatcher Christian Trigilio to the IT Department; and

WHEREAS, Christian Trigilio's last day as a Public Safety Dispatcher will be Friday July 8, 2022.

NOW, THEREFORE be it

RESOLVED, that Christian Trigilio is appointed to the position of Assistant Network Coordinator Full Time at a rate of \$23/hour effective July11, 2022.

The resolution was unanimously adopted.

New Business #3 Approve appointment of Emily Gasiorowski to the Maintenance Department.

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

WHEREAS, the Maintenance Department is in need of assistance; and

WHEREAS, the NYS Office for People with Disabilities has a training program; and

WHEREAS, their employees are paid directly through the NYS Office for People with Disabilities, with no cost to the Town of Orchard Park.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the appointment of Emily Gasiorowski as an intern working through the NYS Employee Training Program. She will be a Cleaner in the Maintenance Department and scheduled 4 (four) hours per week with a pay rate of \$13.20 per hour with a start date of July 12, 2022 upon the recommendation of the Director of the Maintenance Department.

The resolution was unanimously adopted.

New Business #4 Additions submitted to the Standard Work Day Reporting for New York State Retirement System.

7) 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 add Eugene Majchrzak - Supervisor, Joseph C. Liberti - Councilmember, Scott Honer - Councilmember, David Melerski - Alternate Planning Board Member, Lauren Kaczor - Chairperson Zoning Board of Appeals, Kim Bowers - Zoning Board of Appeals, Andrew Slotman - Town Superintendent of Highways, Julia Mombrea - Councilmember, Edward Pace - Town Justice, Dwight Mateer - Zoning Board of Appeals Member, Amy Grosjean - Alternate Conservation Board, Timothy Gallagher - Town Attorney to the standard workday and reporting resolution for elected and appointed officials to the New York State and Local Employees Retirement System based on the record of activities maintained and submitted by the Town Clerk.

The resolution was unanimously adopted.

New Business #5 Approve a vehicle purchase for the Building Inspector Department.

8) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER HONER, 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 (#60-3620-50214), and

WHEREAS, due to an error in the price stated in the June 15, 2022 minutes New Business Item #9 the resolution is hereby rescinded.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby authorized the purchase of a new 2022 Ford Escape from Delacy Ford under Government contract #PC68978 for \$28,946.00 for the Orchard Park Building Inspector Department, as recommended by the Building Inspector.

The resolution was unanimously adopted.

New Business #6 Authorize Supervisor to sign the HC140 Utility (relocation /adjustments of waterline hydrants and valves) Work Agreement with NYSDOT for Milestrip Road and Transit Rd. Intersection (PIN #5350.1) Project.

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

WHEREAS, the New York State Department of Transportation proposes the construction, reconstruction, or improvement of NY Route 187 at Milestrip Road, Intersection Safety Improvements in the Town of Orchard Park located in Erie County, PIN 5350.01, D264839, and

WHEREAS, the State will include as part of the construction, reconstruction, or improvement of the above mentioned project the Town of Orchard Park owned hydrants and valve boxes will be relocated/adjusted by NYSDOT, at no expense to the Town in pursuant to Section 10, Subdivision 24, of the State Highway Law, as shown on the contract plans relating to the project and meeting the requirements of the owner, and

WHEREAS, the service life of the related and or replaced utilities has not extended, and

WHEREAS, the State will provide for the reconstruction of the above mentioned work, as shown on the contract plans relating to the above mentioned project.

NOW, THEREFORE,

BE IT RESOLVED, that the Town of Orchard Park approves of the Town of Orchard Park owned hydrants to be relocated and valve boxes adjusted by NYSDOT, at no expense to the Town and the above mentioned work performed on the project and shown on the contract plans relating to the project and that the Town of Orchard Park will maintain or cause to be maintained the adjusted facilities performed as above stated and as shown on the contract plans; and

BE IT FURTHER RESOLVED, that the Town Supervisor Eugene Majchrzak of the Town of Orchard Park has the authority to sign, with the concurrence of the Orchard Park Town Board, any and all documentation that may become necessary as a result of this project as it relates to the Town of Orchard Park, and

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Orchard Park is hereby directed to transmit five (5) certified copies of the foregoing resolution to the New York State Department of Transportation.

The resolution was unanimously adopted.

New Business #7 Authorize the Supervisor to sign the HC140 Utility (luminaries' relocation) Work Agreement with NYSDOT for Milestrip Road and Transit Rd. Intersection (PIN #5350.1) Project.

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

WHEREAS, the New York State Department of Transportation proposes the construction, reconstruction, or improvement of NY Route 187 at Milestrip Road, Intersection Safety Improvements in the Town of Orchard Park located in Erie County, PIN 5350.01, D264839, and

WHEREAS, the State will include as part of the construction, reconstruction, or improvement of the above mentioned project the Town of Orchard Park owned two (2) luminaries and two (2) bracket arms will be relocated by NYSDOT/NYSEG, at no expense to the Town. A total of seven (7) NYSEG poles are planned to be relocated in pursuant to Section 10, Subdivision 24, of the State Highway Law, as shown on the contract plans relating to the project and meeting the requirements of the owner, and

WHEREAS, the service life of the related and or replaced utilities has not extended, and

WHEREAS, the State will provide for the reconstruction of the above mentioned work, as shown on the contract plans relating to the above mentioned project.

NOW, THEREFORE,

BE IT RESOLVED: that the Town of Orchard Park approves of the Town of Orchard Park owned two (2) luminaries and two (2) bracket arms to be relocated by NYSDOT/NYSEG, at no expense to the Town. A total of seven (7) NYSEG poles are planned to be relocated and the above mentioned work performed on the project and shown on the contract plans relating to the project and that the Town of Orchard Park will maintain or cause to be maintained the adjusted facilities performed as above stated and as shown on the contract plans; and

BE IT FURTHER RESOLVED: that the Town Supervisor Eugene Majchrzak of the Town of Orchard Park has the authority to sign, with the concurrence of the Orchard Park Town Board, any and all documentation that may become necessary as a result of this project as it relates to the Town of Orchard Park, and

BE IT FURTHER RESOLVED: that the Town Clerk of the Town of Orchard Park is hereby directed to transmit five (5) certified copies of the foregoing resolution to the New York State Department of Transportation.

The resolution was unanimously adopted.

New Business #8 Authorize the Supervisor to sign the commitment letter to participate in the WNY Storm Water Coalition.

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

WHEREAS, the New York State Department of Environmental Conservation is making available Environmental Protection Funds. The Water Quality Improvement Projects program provides reimbursement for eligible portions of the cost of implementing projects that include Municipal Separate Storm Sewer Systems (MS4) Phase II Stormwater Implementation; and

WHEREAS, the proposed project will result mapping all Stormwater Management Practices in accordance with NYSDEC's required Basic and Intermediate Mapping Elements. The project work will target post-construction stormwater management practices dating back to 2003. In addition to mapping the type of practices and its location, data such as the receiving waterbody, date of installation, ownership, maintenance responsibility, agreements, and operation and maintenance requirements will be collected; and

WHEREAS, Erie County Department of Environment and Planning will oversee the administration of the grant for the Western New York Storm Water Coalition members that participate; and

WHEREAS, the Town must submit to be a project partner with the Erie County Department of Environmental and Planning's program with the New York State Department of Environmental Conservation.

NOW, THEREFORE be it

RESOLVED, that the Town does hereby authorize the Supervisor to sign the commitment letter to participate in the Western New York Storm Water Coalition: Municipal Separate Storm System — Western New York Stormwater Coalition: Non-Agricultural Nonpoint Source Planning and Municipal Separate Sewer System (MS4) Mapping Grant Program, with the required matching contributions being in-kind services by the Orchard Park Engineering Department personnel as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #9 Approve a Block Party Permit for South Lane.

12) 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 approve a resident's request to blockade a portion of South Lane for a block party on July 30, 2022.

The resolution was unanimously adopted.

New Business #10 Refer petition to rezone V/L Webster Road (SBL# 161.00-3-28.1) from R-3 to B-3 to the Planning Board.

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

WHEREAS, Prodigy Webster, 19 Hamlin Ave. East Aurora, NY 14052 has submitted a petition requesting V/L Webster Road (SBL# 161.00-3-28.1) be rezoned from R-3 to B-3; and

WHEREAS, the proposed use of said premise is a medical office building; and

WHEREAS, Article X-amendments (144-66 through 144-69), gives the Town Board authorization to amend the Town Code; and

WHEREAS, the Town Board may seek the recommendation of the Planning Board.

NOW, THEREFORE be it

RESOLVED, that the petition for rezoning of V/L Webster Road (SBL# 161.00-3-28.1) is hereby referred to the Orchard Park Planning Board for its recommendation.

The resolution was unanimously adopted.

New Business #11 Approve a Budget Transfer for Parks Sal Nonunion Hourly FT.

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

WHEREAS, budget amounts coded as A07110 50103 should be coded as A07110 50104

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorize the following transfer of the 2022 adopted budget in the amount of \$50,400.

Increase Appropriations:

A07110-50104 Parks Sal Nonunion Hrly PT \$50,400

Decrease Appropriations:

A07110-50103 Parks Sal Nonunion Hrly FT \$50,400

The resolution was unanimously adopted.

New Business #12 Approve a Budget Transfer for Park Supplies from the Contingent Account.

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

WHEREAS, the total amount budgeted for account A07110 50400 (\$35,000) consisted of \$5,000 relating to sand for Green Lake

WHEREAS, the total cost for sand at Green Lake paid to Weaver Golf & Turf Solutions in May 2022 totaled \$11,666.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorize the following transfer of the 2022 adopted budget in the amount of \$6,666.

Increase Appropriations:

A07110-50400 Parks Supplies \$6,666

Decrease Appropriations:

A01910-50550 Contingent \$6,666

The resolution was unanimously adopted.

New Business #13 Approve a Budget Amendment for the 2022 CDBG Grant.

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

WHEREAS, the Town was awarded a CDBG CV grant in the amount of \$39,875 related to HVAC units and touchless restroom fixtures.

WHEREAS, the Town needs to adjust the budget to the level of aid awarded in order to appropriately authorize the expenditure of Town funds and the receipt of such aid,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the following amendment of the Town’s 2022 budget to appropriately adjust the amount of aid to be received and authorize additional appropriations for building improvement purposes:

General Fund Amendment:

Increase estimated revenues:

A00000 44000	Federal Aid	\$ 39,875
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Increase appropriation account:

A01620 50446	Building Maintenance	\$ 25,375
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A0718050479	CAC Contracted Services	\$ 14,500
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The resolution was unanimously adopted.

BUSINESS FROM THE FLOOR

Joyce & Alan Baldo asked the Town Board for assistance regarding the noise and vehicle activity in their residential neighborhood.

ELECTED OFFICIALS & DEPARTMENT MANAGERS

Supervisor Eugene Majchrzak congratulated Detective Purucker. He also spoke of the Town Board being invited to a SEQR conversation with the County regarding the new stadium on July 13, 2022 at 10:00AM at the RATH Building. There will be a public comment meeting on July 14, 2022 at the Field House about the before mentioned SEQR.

Councilmember Joseph Liberti congratulated Detective Purucker, Christian Trigilio and Emily Gasiorowski on their appointments. He congratulated the Youth Rugby Club and also addressed Joyce and Alan Baldo, he stated the the Chief of Police and the Building Inspector will be very helpful to them.

Councilmember Conor Flynn thanked Joyce and Alan Baldo for notifying the Board of their neighborhood issues. He also thanked the Engineering Department, the Grant writers and the Supervisor for their assistance in attaining the sidewalk grant. He also spoke of changes he would like to see in the Town Code regarding a zoning change for the stadium, nuisance codes and Town Board rules of procedure.

Councilmember Scott Honer congratulated Detective Purucker, Christian Trigilio and Emily Gasiorowski on their appointments. He also addressed Joyce and Alan Baldo, he stated the members of the Board take these issues seriously and will occasionally drive by the address in question to aid in their evaluation of the proposed problem.

Councilmember Julia Mombrea congratulated Detective Purucker on his appointment as the Director of Youth Court. She thanked him for keeping the program in action. She asked to be kept informed of the Building Inspector’s investigation of the property on Webster Road.

Building Inspector Steve Bremer stated he will be investigating a property on Webster Road.

Highway Superintendent Andrew Slotman informed the Board of the paving progress on Town roads.

Police Chief Patrick Fitzgerald stated the 4th of July parade and fireworks were successful, he thanked the Highway Department, the Volunteer Fire Department and the Village DPW. He also informed the Board

that the Police Department was awarded the NYS Archives Grant for full project coverage. He congratulated Detective Purucker and Christian Trigilio on their appointments.

17) 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 authorize the approval of all entries on Warrant #13 following auditing by members of the Town Board and in the funds indicated:

General Fund	\$57,709.08
Public Safety Fund	\$84,680.31
Part Town Fund	\$835.59
Risk Retention	-0-
Cemetery Fund	-0-
Highway Fund	\$66,193.25
Special Districts	\$65,501.75
Trust & Agency	\$1,199.00
Capital Fund	\$13,449.43

The resolution was unanimously adopted.

There being no further business, on a motion by Supervisor Majchrzak, seconded by Councilmember Liberti, the meeting adjourned at 7:37 pm (local time).

Respectfully Submitted,

Jennifer L. Brady
Deputy Town Clerk