

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 21<sup>st</sup> day of September 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
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: September 7, 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 COMMENT ON OLD BUSINESS**

No one came forward.

**Old Business #1 Authorize advertisement for bids regarding the Bussendorfer Road Paving Project.**

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

**WHEREAS**, the Orchard Park Engineering Department, as directed, finalized design plans, specifications, and bid documents for a separate bid for the overlay paving of the above-mentioned project. The replacement of the watermain and services on the northwest half of Bussendorfer Road will be completed, pavement was open cut in one driving lane for the mainline and cross cut for sanitary sewer laterals to be installed. Asphalt binder Type 3 was installed with the waterline project level to the existing road surface. The work area will be overlaid as requested by the Orchard Park Highway Superintendent and recommended by the Town Engineer; and

**WHEREAS**, the work will start at the intersection of Abbott Road and head east for approximately 3,100' +/- with a typical width of 23' +/-, or as directed by the Town Engineer. After sweeping and prepping the

surface for paving the engineer will approve the roadway before any new paving begins. Pavement shall be installed a minimum of 1-1/2" Type 7F Top course of hot mix asphalt as specified. Driveway aprons will be replaced and graded for a smooth transition to the road pavement; and

**WHEREAS**, due to the asphalt plants possibly closing in October, the Advertisement for Bids are authorized retroactively to be published on September 14, 2022 and officially September 21, 2022. Plans and specifications were available for purchase on September 16, 2022 with the bid opening to be held on September 28, 2022 at 10:00 am in the 1st floor conference room.

**NOW, THEREFORE be it**

**RESOLVED**, that the Town Board does hereby accept the plans and specifications for the Bussendorfer Road Overlay Paving Project prepared by the Town of Orchard Park Engineering Department, and authorize advertisement in the Buffalo News for sealed bids to be opened on September 28, 2022 at 10:00 AM at the Orchard Park Municipal Center located at 4295 South Buffalo Street, Orchard Park, NY 14127, as recommended by the Town Engineer.

**The resolution was unanimously adopted.**

**PUBLIC COMMENT ON NEW BUSINESS**

No one came forward

**New Business #1 Approve Supervisor to sign Intermunicipal Police Tactical Team Cooperation Agreement.**

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

**WHEREAS**, Section 119-o of the General Municipal Law permits municipal corporations to enter into agreements for the performance amongst themselves or one for the other of their respective functions, powers and duties on a cooperative or contract basis or for the provision of a joint service; and

**WHEREAS**, the parties hereto have experienced within their jurisdictions a potential need for the joint response of both participants', police tactical teams to deal with certain criminal acts or threats including but not limited to barricaded suspects, hostage takers, or other persons committing violent acts that may be more effectively dealt with through the use of a specially trained tactical team rather than standard police operations; and

**WHEREAS**, Intermunicipal agreements may be in effect for up to five years §119-n (2) (j) agreement.

**NOW, THEREFORE be it**

**RESOLVED**, the parties do mutually agree pursuant to the terms and provisions of this Tactical Team Cooperation Agreement as per attached "Intermunicipal Agreement"; and be it further

**RESOLVED**, that the Town Supervisor is authorized to execute the "Intermunicipal Agreement – Police Tactical Team Cooperation"; and be it further

**RESOLVED**, that a copy of this agreement is to be kept in the Town Clerk's Office; and be it further

**RESOLVED**, that this agreement shall terminate on December 31, 2026. The terms herein shall continue, however, until both legislative bodies have held their annual organizational meetings. At such meetings, this

agreement shall be considered for renewal, and if approved by each legislative body, such renewal shall be made effective January 1, 2027. Either party may terminate any rights and obligations under this Agreement at any time by giving thirty days written notice of its intent to withdraw from this Agreement.

**The resolution was unanimously adopted.**

**New Business #2 Change status of Public Safety Dispatcher**

4) 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 move PSD Chelsea Schreiber from part-time status to seasonal status from 9/22/2022 to 12/22/2022.

**The resolution was unanimously adopted.**

**New Business #3 Approve Memorandum of Understanding for Orchard Park Police Benevolent Association**

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

**WHEREAS**, the Town of Orchard Park (herein "Town") and the Town of Orchard Park Police Benevolent Association (herein "Association") have Agreed that all unit members will be offered year end buybacks at a time other than previously negotiated in the collective bargaining agreement (herein "CBA") ; and

**WHEREAS**, due to the scheduled future leave of absence of the Town's Payroll Clerk and the complexity of the buyback process; and

**WHEREAS**, to help relieve the workload of the Town employee who will be taking on the payroll responsibilities.

**NOW, THEREFORE be it,**

**RESOLVED**, that the Town Board does hereby approve the following:

- 1) The membership of the Association will submit and accept all accrual buybacks to be paid in the last pay period in the month of September. This will include vacation, holiday, personal leave and compensatory time.
- 2) No future buybacks will occur nor will be allowed through the end of the 2022 calendar year.
- 3) The parties agree that this shall not and will not constitute past practice.
- 4) The parties agree that members of the Association will avoid, if possible, submitting 2023 buybacks until the return of the payroll clerk.

**The resolution was unanimously adopted.**

**New Business #4 Approve Memorandum of Understanding for Orchard Park Command Officers Association.**

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

**WHEREAS**, the Town of Orchard Park (herein "Town") and the Town of Orchard Park Command Officers Association (herein "Association") have Agreed that all unit members will receive year end buybacks at a time other than previously negotiated in the collective bargaining agreement (herein "CBA"); and

**WHEREAS**, due to the scheduled future leave of absence of the Town's Payroll Clerk and the complexity of the buyback process and

**WHEREAS**, to help relieve the workload of the Town employee who will be taking on the payroll responsibilities,

**NOW, THEREFORE be it,**

**RESOLVED**, that the Town Board does hereby agree to the following:

- 1) The membership of the Association will submit and accept all accrual buybacks to be paid in the last pay period in the month of September. This will include vacation, holiday, and compensatory time.
- 2) No future buybacks will occur nor will be allowed through the end of the 2022 calendar year.
- 3) The parties agree that this shall not and will not constitute past practice.
- 4) The parties agree that members of the Association will avoid, if possible, submitting 2023 buybacks until March 1<sup>st</sup> 2023.

**The resolution was unanimously adopted.**

**New Business #5 Accept the Map Plan and Report for OPDD 3-10 Riley Meadows West Phase 4.**

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

**WHEREAS**, a petition, and metes and bounds received by the Town of Orchard Park pursuant to Town Law Section 191, that the Town Board establish a Drainage District for the Riley Meadows West Subdivision Phase 4. The map, plan and report for the proposed Orchard Park Drainage District OPDD 3-10 for the Riley Meadows West Subdivision Phase 4 prepared by Carmina Wood Design in accordance with Article 12 of the Town Law is available at the Town Clerk's office for public review; and

**WHEREAS**, the project involves the installation of the Subdivision's stormwater drainage system, which includes the piping infrastructure, roadway catch basins, bioretention pond, and detention basin systems for stormwater quality. The construction cost of the Subdivision's stormwater drainage system is estimated at \$25,000, which is the Subdivision development costs associated with drainage infrastructure construction only and will be bore entirely by the developer (Nexgen Development II, LLC); and

**WHEREAS**, the establishment of a Drainage District is in the public interest because the district will service prospective new homeowners with the required drainage control of water quality and quantity per the Federal EPA Environmental Law, the Clean Water Act and Stormwater Phase II regulations. The district formation is to cover additional costs the Town will encounter due to this unfunded mandate, as well as provide necessary maintenance to the stormwater system; and

**WHEREAS**, for the drainage district creation, the applicant has completed and submitted the Short EAF, Parts 1 for this Unlisted SEQR action. The Planning Board has completed a Full Environmental Assessment Form with a coordinated review being conducted with the Town of Orchard Park acting as Lead Agency for the Subdivision Approval.

**NOW, THEREFORE, be it**

**RESOLVED**, that the Town Board does hereby accept the map, plan and report in accordance with Section 191 of the Town Law for the establishment of the Orchard Park Drainage District OPDD 3-10 for Riley Meadows West Subdivision Phase 4; and

**WHEREAS**, subsequent to the public hearing and completion of the SEQR process, you may then adopt the necessary orders establishing the district. Only after the district creation can the associated Subdivision project proceed with the Planning Board final approval.

**The resolution was unanimously adopted.**

**New Business #6 Schedule a Public Hearing for OPDD 3-10 Riley Meadows West Phase 4.**

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

**WHEREAS**, a petition, and metes and bounds received by the Town of Orchard Park pursuant to Town Law Section 191, that the Town Board establish a Drainage District for the Riley Meadows West Subdivision Phase 4. The map, plan and report for the proposed Orchard Park Drainage District OPDD 3-10 for the Riley Meadows West Subdivision Phase 4 prepared by Carmina Wood Design in accordance with Article 12 of the Town Law is available at the Town Clerk's office for public review; and

**WHEREAS**, the project involves the installation of the Subdivision's stormwater drainage system, which includes the piping infrastructure, roadway catch basins, bioretention pond, and detention basin systems for stormwater quality. The construction cost of the Subdivision's stormwater drainage system is estimated at \$25,000, which is the Subdivision development costs associated with drainage infrastructure construction only and will be bore entirely by the developer (Nexgen Development II, LLC); and

**WHEREAS**, the establishment of a Drainage District is in the public interest because the district will service prospective new homeowners with the required drainage control of water quality and quantity per the Federal EPA Environmental Law, the Clean Water Act and Stormwater Phase II regulations. The district formation is to cover additional costs the Town will encounter due to this unfunded mandate, as well as provide necessary maintenance to the stormwater system; and

**WHEREAS**, for the drainage district creation, the applicant has completed and submitted the Short EAF, Parts 1 for this Unlisted SEQR action. The Planning Board has completed a Full Environmental Assessment Form with a coordinated review being conducted with the Town of Orchard Park acting as Lead Agency for the Subdivision Approval.

**NOW, THEREFORE, be it**

**RESOLVED**, that the Town Board does hereby authorize the scheduling of a Public Hearing on the creation of Orchard Park Drainage District 3-10 for the Riley Meadows West Subdivision Phase 4 at the Town Board's meeting of October 19, 2022 at 7:00PM (local time) at the Orchard Park Municipal Center, and be it further

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

**The resolution was unanimously adopted.**

**New Business #7 Authorize payment of Lease management area hydrant fee upon acceptance of Best Brothers Storage Facility at 3500 California Road.**

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

**WHEREAS**, requested by the Erie County Water Authority (ECWA), the Town of Orchard Park is required to pass a resolution to pay the hydrant fee amounts per the lease management agreement between the Town of Orchard Park and ECWA upon acceptance of installation with the Best Brothers Storage Facility at 3500 California Road; and

**WHEREAS**, the total construction of the above referenced project will result in one public hydrant in service. There is no public hydrant present in the general area along California Road at the above referenced project location and is warranted for public fire protection.

**NOW, THEREFORE, be it**

**RESOLVED**, that the Town Board does hereby authorize the payment of the hydrant fees amount upon acceptance of the Best Brothers Storage Facility at 3500 California Road installation of associated public hydrant along California Road in OP Water District No. 17 per the lease management between the Town of Orchard Park and ECWA, as recommended by the Town Engineer.

**The resolution was unanimously adopted.**

**New Business #8 Authorize payment of Lease management area hydrant fee upon acceptance of the public hydrant along Hazel Court right-of-way.**

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

**WHEREAS**, requested by the Erie County Water Authority (ECWA), the Town of Orchard Park is required to pass a resolution to pay the hydrant fee amount upon acceptance of the additional Warranted Hydrant on Hazel Court per the lease management agreement between the Town of Orchard Park and ECWA; and

**WHEREAS**, the total construction of the above referenced project will result in one public hydrant in service in a direct ECWA service area. This additional public hydrant along Hazel Court is warranted for public fire protection; presently there is a 1,100-foot plus spacing between existing hydrants, which is not adequate for proper fire protection of the neighborhood.

**NOW, THEREFORE, be it**

**RESOLVED**, that the Town Board does hereby authorize the payment of the hydrant fees amount upon acceptance of the public hydrant along Hazel Court in ECWA direct service area per the lease management agreement between the Town of Orchard Park and ECWA, as recommended by the Town Engineer.

**The resolution was unanimously adopted.**

**New Business #9 Award contract for two (2) Backflow Replacements.**

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

**WHEREAS**, the Town of Orchard Park is required to test backflow prevention devices in Town owned facilities. Over the last few years, the testing of the Municipal Building backflow prevention devices have become problematic to test. In addition, the four valves that are used to control the water to and from the

devices have become difficult to operate. The two backflow devices and valves are over 30 years old and have exceeded their life span. The backflow prevention devices were tested this year and both passed; and

**WHEREAS**, the Engineering Department has contacted three plumbing contractors to obtain quotes to replace the four valves and two backflow prevention devices. The three quotes listed are in order of lowest to highest:

JW Danforth Company	\$ 8,800.00
Numarco, Inc.	\$ 8,850.00
MKS Plumbing Corp.	\$10,800.00

**WHEREAS**, the lowest quote for this project was John W. Danforth Company. The company has been in business since 1884 and has successfully completed various backflow prevention testing and installation projects in the past for Orchard Park. This company is more than capable of completing the proposed testing and repair of the various backflow prevention devices. This company is more than capable of completing the work to replace the two-backflow prevention devices and four valve; and

**WHEREAS**, there is presently \$72,224 plus interest allocated under Capitol Project ABOO7 Orchard Park Municipal Building Project.

**NOW, THEREFORE be it**

**RESOLVED**, that the Town Board does hereby award the contract for the replacement of the two backflow prevention devices and four valves for the OP Municipal Building to John W. Danforth Company, 300 Colvin Woods Parkway, Tonawanda, New York, 14150, in an amount not to exceed \$8,800.00, as recommended by the Town Engineer.

**The resolution was unanimously adopted.**

**New Business #10 Award contract for the CAC Bocce Ball Court.**

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

**WHEREAS**, bids were opened for the Brush Mountain Community Center Bocce Ball Courts Project on September 19, 2022. The Project includes all necessary excavation and materials required to install three bocce ball courts equipped with a drainage system per the Contract Drawings and the Specifications; and

**WHEREAS**, an extended tabulation of bid results showing the itemized bid amounts from each Bidder was created. This project is a lump sum bid. The low bidder for this project is Matt Kolo Excavation.

**WHEREAS**, there is presently \$402,000 +/- allocated under Parks & Recreation T20079 to fund this project.

**NOW, THEREFORE, be it**

**RESOLVED**, that the Town Board does hereby award the contract for the Brush Mountain Community Center Bocce Ball Courts Project to the lowest responsible bidder, Matt Kolo Excavation, 7631 Zimmerman Road, Hamburg NY 14075, in the amount not to exceed \$70,950.00, as recommended by the Town Engineer.

**The resolution was unanimously adopted.**

**New Business #11 Accept the Tentative agreement approved by the Blue Collar Union.**

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

**WHEREAS**, the Town of Orchard Park has been negotiating with its Blue Collar Union for a new Collective Bargaining Agreement; and

**WHEREAS**, the parties to those negotiations have reached a successful accord extending through December 31, 2025; and

**WHEREAS**, the highlights of terms of that proposed accord include a 0% salary increase for 2022 and a 3.75% salary increase across the board for 2023, 2024, and 2025; minimum health insurance contribution increases, for employees hired prior to April 1, 2013, shall contribute ten percent (10%) of the health insurance premium equivalent in 2022 and 2023, thirteen percent (13%) in 2024 and fourteen percent (14%) in 2025; and

**WHEREAS**, effective April 1, 2013, any employee hired into the unit on or after April 1, 2013 shall contribute twenty percent (20%) of the health insurance premium equivalent in effect each year; and

**WHEREAS**, the said accord has been approved by the Blue Collar Union and is acceptable to the Town Board of Orchard Park.

**NOW, THEREFORE, be it**

**RESOLVED**, that the Town Board does hereby authorize the Supervisor to execute the proposed Blue Collar Collective Bargaining Agreement as negotiated between the Town Board and the Blue Collar Union, and presently approved by the Blue Collar Union; and be it further

**RESOLVED**, that a copy of the Blue Collar Collective Bargaining Agreement be kept on file in the Town Clerk's Office.

**The resolution was unanimously adopted.**

**New Business #12 Approve a Commercial Parking Permit**

14) 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 approve the 2022-2023 Commercial Parking Permit as approved by the Chief of Police and Building Inspector for Bo Tucker - 4243 Abbott Road.

**The resolution was unanimously adopted.**

**New Business #13 Approve promotions for three Highway employees**

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

**WHEREAS**, the Orchard Park Highway Department has openings for the position of Truck Driver, and

**WHEREAS**, Ray Stevens, John Payne and Ryan McCarthy meets the qualifications of Truck Driver and are able and ready to accept this position, and



**WHEREAS**, upon the recommendation of Highway Superintendent Andrew Slotman.

**NOW, THEREFORE be it**

**RESOLVED**, that Ray Steven is appointed to the position of Truck Driver, Pay grade Step #2, \$23.72 per hour; John Payne is appointed to the position of Truck Driver, Pay grade Step #2, \$23.72 per hour; and Ryan McCarthy is appointed to the position of Truck Driver, Pay grade Step #1, \$22.40 upon the recommendation of Highway Superintendent Andrew Slotman, effective October 1, 2022.

**The resolution was unanimously adopted.**

**New Business #14 Approve appointment of Lucas Bodden to Highway Laborer**

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

**WHEREAS**, the Orchard Park Highway Department has an opening for the position of a Blue Collar Laborer, and

**WHEREAS**, Lucas Bodden meets the qualifications of a Blue Collar Laborer and is able and ready to accept this position, and

**WHEREAS**, upon the recommendation of Highway Superintendent Andrew Slotman.

**NOW, THEREFORE be it**

**RESOLVED**, that Lucas Bodden, upon the recommendation of Highway Superintendent Andrew Slotman, is appointed to the position of Blue Collar Labor in the Orchard Park Highway Department, Step 1 of the Blue Collar Contract, \$22.00 per hour, effective October 31, 2022.

**The resolution was unanimously adopted.**

**New Business #15 Approve the advertisement notice to Bidders for the Town-wide (Excluding Village) Collection, Hauling and Disposal of Tree/Brush Contract**

17) 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 authorize the advertisement for proposals in the Orchard Park BEE newspaper for the “Town-Wide (Excluding Village) Collection, Hauling & Disposal of Tree / Brush Waste” contract to be received in the Town Clerk’s Office until November 3, 2022 at 10:00AM located at 4295 South Buffalo Street, Orchard Park, NY 14127. These will be read aloud in the basement conference room at that time as recommended by the Orchard Park Highway Superintendent.

**The resolution was unanimously adopted.**

**New Business #16 Refer to the Planning and Conservation Boards.**

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

- 1. **Birdsong Lakes LLC, David Capretto, requesting to rezone property from R-1 to R-1, CMO, located at the terminus of Rock Dove Lane.** Proposing to construct a 62-lot single family residential subdivision on a combination of three contiguous parcels.

**The resolution was unanimously adopted.**

**New Business #17 Not on the Agenda – Approve publication for 2023-2024 CDBG Grant**

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

**WHEREAS,** in order to be eligible to continue to receive Community Development Block Grant funds through the Erie County CDBG Consortium, the Town of Orchard Park is required to conduct a public hearing to provide citizens the opportunity for input into the project selection process. Project applications are due near the end of October.

**WHEREAS,** prior to the hearing, the Engineering Department will prepare an information packet which will describe the CDBG program, a list of previous HUD funded projects in our Town, and a list of potential projects to be considered for next year's funding applications.

**NOW, THEREFORE be it**

**RESOLVED,** that the Town Board does hereby approve the publication of the public hearing for the 2023-2024 Community Development Block Grant Funds.

**The resolution was unanimously adopted.**

**New Business #18 Not on the Agenda – Schedule a Public Hearing for 2023-2024 CDBG Grant**

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

**WHEREAS,** in order to be eligible to continue to receive Community Development Block Grant funds through the Erie County CDBG Consortium, the Town of Orchard Park is required to conduct a public hearing to provide citizens the opportunity for input into the project selection process. Project applications are due near the end of October.

**WHEREAS,** prior to the hearing, the Engineering Department will prepare an information packet which will describe the CDBG program, a list of previous HUD funded projects in our Town, and a list of potential projects to be considered for next year's funding applications.

**NOW, THEREFORE be it**

**RESOLVED,** that the Town Board does hereby schedule a public hearing for Wednesday, October 19, 2022 at 7:00 PM on the possible use of 2023-2024 Community Development Block Grant Funds.

**The resolution was unanimously adopted.**

**ELECTED OFFICIALS & DEPARTMENT MANAGERS**

Councilmember Joseph Liberti congratulated the new employee to Highway and the three employees that received promotions. He also gave the family of Carson Senfield the Town Board’s condolences. He also

recognized the rise in mental illness and stated that the Town of Orchard Park and the Central School District have come together to assist families and opened the OP Central School District Family Solutions Center. It is located at the Community Activities Center. It opened Monday September 19, 2022 and will assist families with school aged children providing direct counseling services. It will provide resources and promote problem solving strategies to develop healthy relationships. It will also provide a clothing closet, Holiday donations and camp scholarships for children.

Councilmember Conor Flynn addressed the CBDG Grant and stated there will be a Special Session next week to bring the Dennis Road Culvert contract before the Board.

Councilmember Julia Mombrea stated the former longtime Town Attorney Mr. Leonard Berkowitz has passed away. She recognized his long service to our Town.

Town Clerk Remy Orffeo read Mr. Teeter’s letter that accompanied his donation to the OP Police and Fire Departments. He also stated there were three motions brought up by Town Engineer Wayne Bieler which need to be addressed. The publication of and scheduling of a public hearing for the CBDG for 2023-2024. The third motion of a Culvert agreement over Dennis Road will wait until the next board meeting.

Town Engineer Wayne Bieler stated a Public Hearing needs to be scheduled for the CDBG for October 19, 2022. This would qualify the Town for assistance regarding the Senior Van. He also stated the Bussendorfer Paving contract needs to be rebid so the work would be finished by mid-October. He also stated that the Dennis Road Culvert contract can wait until the next Town Board Meeting.

Highway Superintendent Andrew Slotman welcomed Luke Bodden and congratulated the other employees on their promotions. He also stated United Survey will begin lining the Town’s Sanitary Sewer lines. He also asked that residents separate grass, leaf and brush piles. Grass is not picked up by Highway. Leaves and brush are picked up by different vehicles.

Police Chief Patrick Fitzgerald thanked Mr. Teeter for his donation to the Police and Fire Departments. The donation was donated to the DARE program. He also stated Monday night’s football game’s tailgating began on Saturday and continued through the entire weekend. Traffic flow was severely restricted on Monday. He thanked all members of the Police Department for their days of dedication. He also invited the Town Board to accompany the Orchard Park Police to a Stadium Event.

21) 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 #18 following auditing by members of the Town Board and in the funds indicated:

<b>General Fund</b>	\$62,152.91
<b>Public Safety Fund</b>	\$4,748.62
<b>Part Town Fund</b>	\$5,765.91
<b>Risk Retention</b>	-0-
<b>Cemetery Fund</b>	-0-
<b>Highway Fund</b>	\$101,430.61
<b>Special Districts</b>	\$9,144.31
<b>Trust &amp; Agency</b>	\$1,120.00
<b>Capital Fund</b>	\$39,279.88

**The resolution was unanimously adopted.**

**COMMUNICATIONS**

**22) 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 gratefully acknowledge the donation to the Orchard Park Police Department and the Orchard Park Fire Department for their hard work done on Buffalo Bills Game Days from Mr. Chris Teeter.

**The resolution was unanimously adopted.**

There being no further business, on a motion by Supervisor Majchrzak, seconded by Councilmember Flynn, the meeting adjourned at 7:32 pm (local time).

**Respectfully Submitted,**

**Remy C. Orffeo  
Town Clerk**