

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 7th day of December 2022 at 7:25 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
Absent 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
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: November 16, 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.

****** Winter Storm Event of November 2022 ******

Supervisor Majchrzak spoke of the incredible job Town workers, Highway Department, Police Department, First Responders, Dispatch, Call Centers, Emergency Response Teams and Volunteers did during the Winter Storm event that occurred from November 17 – November 19.

Chief of Police Patrick Fitzgerald gave the following speech:

As we debrief and reflect back on our recent record breaking snowstorm, I would like to take the time to recognize some of the groups and individuals who worked side by side with our department to help keep our community safe. The Town Highway Dept under the direction of Andy Slotman and the Village DPW under the direction of Emery Wittmeyer worked through the worst of winter conditions to dig us out, plow us a path and get us to where we needed to be. The 911 calls kept coming in and without their dedication we wouldn’t have been able to get anywhere. The Orchard Park Fire District and Orchard Park EMS joined our strike teams from the onset of the storm and worked alongside our police officers to handle every emergency call as a team. Not every call was a police call, fire call or ems call but the strike team handled each and every

one as a combined emergency force. Not even 80 plus inches of snow could stop them. The Orchard Park Central School District under the direction of Superintendent Dave Lilleck and Director of Facilities Bill Bosinski provided us our emergency warming shelter, loader operator and loader for one of our strike teams, food and staff for our shelter, and even included the Superintendent and Principal Jeff Dolce from South Davis Elementary shuttling stranded motorists in their personal vehicles from the shelter to hotels and other locations throughout WNY. Emergency manager Rich Mrugalski and his assistants Bob Benning and Jordan Kellerman worked 24 hours a day to help control the chaos and even now continue that work as we try to receive emergency funding to help reimburse our costs. I would also like to recognize the Town and Village employees who were called upon and even volunteered to staff our department's call center. This thankless task included fielding thousands of calls over a period of days which alleviated the pressure that the incessant ringing of phones was creating for our dispatchers. Despite more than doubling the staffing in our dispatch center, our call center staff provided a relief to them that cannot be quantified.

Lastly I am beyond proud of how each member of my department stepped up and worked so hard, for so long in some really terrible conditions. We came together and provided a level of emergency response and service to our community that is beyond admirable. I can list dozens of examples where our employees found ways to help and support our mission. Patrol Officers, Dispatchers, Clerks, Animal Control Officers and members of my command staff worked tirelessly to keep our community safe. Additionally, our newly created Social Media Unit under the direction of Lt. Ryan Myers, absolutely knocked it out of the park. The four members of this Unit worked 24/7 both on duty and off to make sure that our community was kept informed of the storm, our Town and Village's response and how they the community could help us, help them.

I am so fortunate to lead such an amazing group of professionals and couldn't be prouder of our department's work each and every day. Every member of our department is recognized tonight for their selfless actions during and after this epic storm and is deserving of our communities gratitude. Job well done. Thank you.

Councilmember Flynn spoke of the Town workers, volunteers and beyond working together as a community to get through the trying time of the winter storm event and issued the following resolution:

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

WHEREAS, between November 17th and November 19th a lake effect winter snow event deposited over six feet of snow in the Town of Orchard Park. The Town of Orchard Park was at the epicenter of this regional snow event; and

WHEREAS, Orchard Park Police, Highway and Emergency Management employees, Orchard Park School District employees, and many volunteers worked around the clock for the entirety of the storm and after to keep our community safe. While the rest of us stayed safe indoors, these employees and volunteers were sleeping for a few hours at a time and were away from their families for extended periods in order to keep our community safe.

NOW, THEREFORE be it

RESOLVED, that the Town of Orchard Park Town Board formally recognizes and thanks Orchard Park Police, Orchard Park Highway, Orchard Park Emergency Management, and the many volunteers that helped for their exceptional efforts during the winter storm event of November 2022.

The resolution was unanimously adopted.

PUBLIC COMMENT ON OLD BUSINESS

No one came forward

Old Business #1 Authorize traffic orders for Birdsong Subdivision Part 3B Phase 1 & Phase 2A; PIP #2021-02

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

WHEREAS, the Police Chief, Highway Superintendent and Town Engineer have reviewed the street layout for the Birdsong subdivision part 3B Phase 1 & Phase 2A; PIP #2021-02.

NOW, THEREFORE, be it

RESOLVED, upon dedication of Birdsong Subdivision Part 3B Phase 1 & Phase 2A, PIP #2021-02, the Town Board does hereby adopt the following traffic orders:

- Authorize the posting of a **STOP SIGN** on Osprey Court at the intersection of Birdsong Parkway.
- Authorize the posting of a **STOP SIGN** on Blue Heron Drive at the intersection of Birdsong Parkway.
- Authorize the posting of a **STOP SIGN** on Blue Heron Drive at the intersection of Woodthrush Trail.
- Authorize the posting of a **STOP SIGN** on Kestrel Court at the intersection of Woodthrush Trail.
- Authorize the posting of a **STOP SIGN** on Woodthrush Trail at the intersection of Blue Heron Drive.

The resolution was unanimously adopted.

PUBLIC COMMENT ON NEW BUSINESS

No one came forward

New Business #1 Declare 2013 Ford F150 Super Cab 4x4 survey truck as Surplus, and authorize trade in, or sale by auction.

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

WHEREAS, Vehicles in the Engineering fleet are typically used by several employees and end up being used by Engineering or Special Districts summer help; and

WHEREAS, the 2013 F150 Super Cab 4x4 truck is currently being used for surveying but experiencing repair issues often, is badly rusted, has body damage, transmission issues and is becoming questionable to pass inspection. This 2013 vehicle has 40,000 miles and a lot of idling time; and

WHEREAS, the truck is drivable and sending it to public auction would most likely be in the Town's best interest. A trade in value has also been requested from dealer.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby declare the 2013 F150 Super cab (VIN #1FTFX1EFXDKF38126) as a surplus vehicle and authorize the sale of this vehicle or trade in, per recommendation of the Town Engineer.

The resolution was unanimously adopted.

New Business #2 Approve the purchase of a 2023 F150 Super Cab 4x4 truck for the Engineering Department and Special Districts.

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

WHEREAS, replacements of inspection vehicles are needed. Vehicles are used by several employees to maximize the truck life. The Engineering Department or Special Districts use the vehicle for summer help as it ages; and

WHEREAS, the 2013 pickup has been declared surplus, the survey equipment box will be removed and will fit into the bed of the Engineering Department's existing 2015 truck, which has 49,193 miles on it. This work can be done during the winter as time permits. The new truck will be used by the Town Engineer and two office managers for numerous field complaint/inspection work and various construction inspections that are required for subdivisions and Town projects that are under construction; and

WHEREAS, the funds are already in the budget for this year; #A01440-50200 Engineering Equipment \$37,800.00. Delivery time is about 5 months from the Order date.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the purchase of a new 2023 Ford F150 super cab 4x4 from DeLacy Ford under State/County Bid for amount not to exceed \$37,800.00 under State Bid for the Orchard Park Engineering Department, pending trade in value or action sale, per recommendation of the Town Engineer.

The resolution was unanimously adopted.

New Business #3 Approve Change Order #1 to our Contract with Milherst Construction Inc. for the Bussendorfer Road Paving Project.

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

WHEREAS, the Engineering Department requests approval of a Change Order to the contract with Milherst Construction, Inc. for the Bussendorfer Overlay Paving Project in the amount of \$1,375.00. This would increase the total contract amount to \$117,975.00, representing an increase of 0.01%; and

WHEREAS, the Change Order requested is to revise the work scope under their contract to address additional Type 7F asphalt placed 15-feet beyond Contract Limits to match better existing pavement, and to

furnish and to install ten (10) valve box risers on existing water valve boxes in the existing road pavement; and

WHEREAS, there is presently funding under FX008 Bussendorfer Water Project \$13,038.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby approve Change Order #1 to our original contract with Milherst Construction, Inc. for the Bussendorfer Overlay Paving Project in the amount not to exceed \$1,375.00, per recommendation of the Town Engineer.

The resolution was unanimously adopted.

New Business #4 Refer to the Planning and Conservation Boards

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

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

1. V/L Taylor Road, located on the east side of Taylor Road, north of the intersection of Taylor Road and New Taylor Road, Zoned R-D. Applicant is proposing to construct a self-storage facility with an office. (SBL# 161.19-2-1)

2. V/L Windward Road, located on the south side of Windward Road in the Sterling Drive Industrial Park, Zoned I-1. Applicant is proposing to construct a 30,000 square foot 1-story medical building. (SBL # 152.18-2-5)

The resolution was unanimously adopted.

BUSINESS FROM THE FLOOR

No one came forward

ELECTED OFFICIALS & DEPARTMENT MANAGERS

Supervisor Eugene Majchrzak informed the Board that the Highway Superintendent, Town Engineer and the Supervisor will be addressing the Town wide Drainage District on Wednesday mornings.

Councilmember Joseph Liberti thanked Emergency Management, Emergency Services, Highway and Police for their hard work during the November storm.

Councilmember Conor Flynn thanked Town employees, Highway Superintendent Andy Slotman and Chief of Police Pat Fitzgerald on their work during the November storm.

Councilmember Scott Honer thanked everyone for handling the effects of the storm with efficiency, he has had feedback from the Town citizens stating the same.

Town Clerk Remy Orffeo thanked and recognized his employees in the Planning and Clerk Departments for volunteering at the call center and warming shelter during the storm. He also encouraged the Town Board to help Town Engineer Bieler with the work flow of hiring personnel. All departments are connected and rely on each other to get jobs done. If one department gets behind, we all do.

Town Engineer Wayne Bieler informed the Board that the water will be turned off in the Municipal Building after 4:30 on December 8, 2022 for maintenance.

Highway Superintendent Andrew Slotman thanked all Highway employees, contractors, fuel suppliers and Chief of Police Pat Fitzgerald and Emergency Disaster Coordinator Rich Mrugalski for their non-stop assistance during the November storm. He also asked for the Board to address issues regarding stormwater drainage problems.

Police Chief Patrick Fitzgerald thanked the Board for recognizing what the entire team did during the storm, he also thanked everyone who donated food to the Police Department during the storm.

7) 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 #23 following auditing by members of the Town Board and in the funds indicated:

General Fund	\$405,404.45
Public Safety Fund	\$1,410,394.39
Part Town Fund	\$51,624.87
Risk Retention	-0-
Cemetery Fund	-0-
Highway Fund	\$289,620.72
Special Districts	\$44,541.96
Trust & Agency	\$2,777.94
Capital Fund	\$126,399.82

The resolution was unanimously adopted.

COMMUNICATIONS

8) 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 receive and file the Erie County Water Authority amendments for 2023.

The resolution was unanimously adopted.

REPORTS

9) 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 receive and file the October 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 Liberti, the meeting adjourned at 7:47 pm (local time).

Respectfully Submitted,

Remy C. Orffeo
Town Clerk