

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 18th day of January 2022 at 7:04 PM, the meeting was called to order by Supervisor Eugene Majchrzak and there were:

PRESENT AT ROLL CALL:

	Eugene Majchrzak	Supervisor
Via Phone -	Conor Flynn	Councilmember
	Scott Honer	Councilmember
	Joseph Liberti	Councilmember
	Julia Mombrea	Councilmember
	Jennifer Brady	1 st Deputy Town Clerk
	Timothy D. Gallagher	Town Attorney
	Tom Minor	Building Inspector
	Patrick Fitzgerald	Chief of Police
	Andrew Slotman	Highway Superintendent
	Ed Leak	Director of Rec., Parks & Forestry
	Wayne Bieler	Town Engineer
Absent -	Remy Orffeo	Town Clerk

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: January 4, 2023 and the Organizational Meeting January 4, 2023; 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

Special Exception Use Permit for Jim’s Steak-Out 3185 Orchard Park Rd.

At 7:06PM (local time) Supervisor Majchrzak called for the Public Hearing to hear all interested parties regarding the proposed Special Exception Use Permit for 3185 Orchard Park Rd., Jim’s Steak-Out to construct a Drive-Through, located on the east side of Orchard Park Road, north of Delta Sonic (former Tabernacle Food Pantry), zoned B-2.

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.

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 a Special Exception Use Permit for 3185 Orchard Park Rd., Jim's Steak-Out to construct a Drive-Through, located on the east side of Orchard Park Road, north of Delta Sonic (former Tabernacle Food Pantry), zoned B-2 at 7:08PM.

The resolution was unanimously adopted.

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

WHEREAS, following due and timely notice, a public hearing relating to the matter of a Special Exception Use Permit for 3185 Orchard Park Rd., Jim's Steak-Out to construct a Drive-Through, located on the east side of Orchard Park Road, north of Delta Sonic (former Tabernacle Food Pantry), zoned B-2 was conducted on January 18, 2023, 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 approve the request for a Special Exception Use Permit regarding 3185 Orchard Park Rd., Jim's Steak-Out to construct a Drive-Through, located on the east side of Orchard Park Road, north of Delta Sonic (former Tabernacle Food Pantry), zoned B-2.

The resolution was unanimously adopted.

Special Exception Use Permit for Chase Bank 3201 Southwestern Blvd.

At 7:09PM (local time) Supervisor Majchrzak called for the Public Hearing to hear all interested parties in the matter regarding 3201 Southwestern Blvd, Chase Bank requesting a Special Exception Use Permit to construct a Drive-Through ATM, west side of Top's Fueling Station, east side of Starbucks, located in the Tops Plaza, Zoned B-2.

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.

Mr. John August spoke in favor of the permit.

4) 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 in the matter regarding 3201 Southwestern Blvd, Chase Bank requesting a Special Exception Use Permit to construct a Drive-Through ATM, west side of Top's Fueling Station, east side of Starbucks, located in the Tops Plaza, Zoned B-2 at 7:11PM.

The resolution was unanimously adopted.

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

WHEREAS, following due and timely notice, a public hearing relating to the matter regarding 3201 Southwestern Blvd, Chase Bank requesting a Special Exception Use Permit to construct a Drive-Through ATM, west side of Top’s Fueling Station, east side of Starbucks, located in the Tops Plaza, Zoned B-2 was conducted on January 18, 2023, 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 approve a Special Exception Use Permit to construct a Drive-Through ATM, west side of Top’s Fueling Station, east side of Starbucks, located in the Tops Plaza, Zoned B-2.

The resolution was unanimously adopted.

PUBLIC COMMENT ON OLD BUSINESS

No one came forward

Old Business #1 Approve mileage rate increase.

6) 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 establish the mileage rate of \$0.655 per mile for Town Personnel when their private vehicles are used for official business for the year 2023.

The resolution was unanimously adopted.

Old Business # 2 Approve the final Change Order / Payment for Bussendorfer Road Overlay Paving Project and release the Performance Security to Milherst Construction.

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

WHEREAS, the Engineering Department is pleased that the paving work on Bussendorfer Road Overlay Paving Project has been completed. On January 5, 2023, a final inspection was conducted; and

WHEREAS, all of the work was completed in accordance with the contract documents and specifications; and

WHEREAS, a two year maintenance bond, in the amount of \$116,600.00, has been submitted along with the Affidavit of release of Liens, Affidavit of Subcontractor Payment and necessary legal documents; and

WHEREAS, a Final Change Order / Payment which includes amount of \$1,375.00 (C.O. #1A & 1B) and release of retention in the amount of \$5,830.00.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby approve the change order/final payment and authorize release of retention for the Bussendorfer Road Overlay Paving Project to Milherst Construction, Inc., 10025 County Road, PO Box 430, Clarence Center, NY 14032, in the amount of \$7,205.00; and be it further

RESOLVED, that the Town Board does hereby authorize the Town Clerk to release Milherst Construction's performance security in the amount of \$116,600.00 as recommended by the Town Engineer.

The resolution was unanimously adopted.

Old Business #3 Approve Final Change Order #3, release of Retention and Performance security for Bussendorfer Forsythia Phase 2 Drainage Improvements Project.

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

WHEREAS, the Engineering Department is pleased to inform the Town Board that the paving work on Bussendorfer Forsythia Phase 2 Drainage Improvements Project has been completed. On July 14, 2022, a final inspection was conducted and all of the punch list work was completed on August 11, 2022 in accordance with the contract documents and specifications; and

WHEREAS, a two year maintenance bond, in the amount of \$825,218.17, has been submitted along with the Affidavit of release of Liens, Affidavit of Subcontractor Payment and necessary legal documents; and

WHEREAS, the Final Project Payment Request which includes payment for Change Order #3 in the amount of \$5,384.56, Final bid item quantities paid in the amount \$9,502.50 and release of retention in the amount of \$40,516.56; and

WHEREAS, the Over/Under sheet which list final quantity adjustments for each bid item, illustrates a net decrease of \$184,354.27 or 18.26% from the original amount bid including the addition of approved change orders resulting in a final contract amount of \$825,218.17.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby approve C.O. #3, final C.O./final payment of \$5,384.56 and authorize release of retention for the Bussendorfer Forsythia Phase 2 Drainage Improvements Project in the amount of \$40,516.56 and release the Over/Under final quantity adjustments for each bid item in the amount of \$9,502.50 equaling a total payment of \$55,403.62 to Union Concrete Construction Corp., PO Box 410, 105 Center Road, West Seneca NY, 14224; and be it further

RESOLVED, that the Town Board does hereby authorize the Town Clerk to release Union Concrete Construction Corporation's performance security in the amount of \$932,692.64 as recommended by the Town Engineer.

The resolution was unanimously adopted.

PUBLIC COMMENT ON NEW BUSINESS

No one came forward

New Business #1 Approve 2022 Stable Permits

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

RESOLVED, that the Town Board is hereby authorized to approve the renewal of the 2022 Public Stable Permits for the following stables:

- Chestnut Creek Farm, 5624 Chestnut Ridge Road
- Jaxon's Sky Equestrian Center LLC, 7613 Behm Road
- Willow View Equestrian, 7895 East Quaker Road

The resolution was unanimously adopted.

New Business #2 Approve a Special Event Permit for the Frozen Chosen 5K.

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

RESOLVED, that the Town Board does hereby approve a Special Event Permit request for the Frozen Chosen 5K to be held on Saturday February 11, 2023 from 9:00AM-12:00PM at 4536 S. Buffalo Street.

The resolution was unanimously adopted.

New Business #3 Approve a carryover of vacation time for Maria Galley.

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

WHEREAS, Maria Galley serves as the Senior Center Director; and

WHEREAS, she has accrued unused vacation time.

NOW, THEREFORE be it

RESOLVED, that Maria Galley is allowed to roll over seven (7) vacation days from 2022 to 2023, they must be used in 2023 and cannot be rolled over to 2024.

The resolution was unanimously adopted.

New Business #4 Approve a carryover of vacation time for Robert Rendon.

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

WHEREAS, Robert Rendon serves as Assistant Code Enforcement Officer II in the Building Department; and

WHEREAS, he has accrued unused vacation time.

NOW, THEREFORE be it

RESOLVED, that Robert Rendon is allowed to roll over five (5) vacation days from 2022 to 2023.

The resolution was unanimously adopted.

New Business #5 Approve the appointment of Dave Holland

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

WHEREAS, the Orchard Park Building Department is in need of a part-time Code Enforcement Officer; and

WHEREAS, David Holland, a retired Town of Orchard Park Code Enforcement Officer is available to assume the position of part-time Code Enforcement Officer.

NOW, THEREFORE be it

RESOLVED, that David Holland is hereby appointed part-time Code Enforcement Officer in the Building Department at a rate of \$35.00 per hour not to exceed nineteen and one-half hours per week. This appointment is effective January 1, 2023.

The resolution was unanimously adopted.

New Business #6 Authorize the Supervisor to sign the Small Wireless Facilities Master License Agreement with Bell Atlantic Mobile Systems LLC d/b/a Verizon Wireless.

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

WHEREAS, the Town of Orchard Park has negotiated a Small Wireless Facilities Master License Agreement with Bell Atlantic Mobile Systems LLC d/b/a Verizon Wireless; and

WHEREAS, the purpose of this agreement is to permit the deployment of Small Wireless Facilities within the public rights-of-way; and

WHEREAS, the Agreement, Fee Schedule, Model Form of Application for Pole License(s); and

WHEREAS, the effective date of this agreement is January 18, 2023; and

WHEREAS, a copy of this agreement is available in the Town Clerk's office during normal business hours.

NOW, THEREFORE be it

RESOLVED, that the Town Board authorizes the Orchard Park Town Supervisor to sign the Small Wireless Facilities Master License Agreement with Bell Atlantic Mobile Systems LLC d/b/a Verizon Wireless.

The resolution was unanimously adopted.

New Business #7 Appoint James Morse to the Economic Development Committee

15) 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 appoint James Morse to the Economic Development Committee with a term ending December 31, 2023.

The resolution was unanimously adopted.

New Business #8 Authorize advertisement for the vacant Civil Engineer positions for the Orchard Park Engineering Department.

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

WHEREAS, Ken Kostowniak resigned effective December 2, 2022 and due to the Engineering Department's work load, there is an immediate critical need to have a fulltime person staff this position; and

WHEREAS, a Civil Engineer performs engineering duties and liaison work in connection with the design, construction and maintenance of municipal projects; computes pipe analysis in main extensions and service connections; leads a field survey party; prepares field notes of survey work and prepares rough sketches for entry on final plates of system; receives, reviews and processes requests for utility extensions and service connections; works with the accounting division in preparing bills for contractors and consumers; assists in making project cost estimates; inspects construction in progress for adherence to specifications and for recommending changes in plans for specifications; assists the legal division by preparing maps and other data for easements; assists in supervising the maintenance of a variety of equipment used in the division; may be assigned to supervise the maintenance of buildings, grounds and other properties of the municipality; witnesses and/or assists in the conduct of field tests; supervises engineering crews and construction inspectors; supervises the plotting of utilities and related information on permanent system maps; confers with developers on utility layouts, extensions, service connections, their cost, timing of construction and related matters; assists in the preparation of specifications and bid documents for work to be done by contractors including preliminary cost estimates; and

WHEREAS, daily work scope includes performing entry level professional engineering work in the office or field in connection with design, inspection, maintenance and/or construction of civil engineering projects. Work also entails complex technical duties that apply the principles of civil engineering to a variety of engineering problems either as a regular assignment or as a training experience. Work is performed under the direct supervision of higher ranking engineering staff with limited leeway for the exercise of independent judgement. Supervision is exercised over lower level technical and labor class employees.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby authorize the advertisement and posting for the position of civil service classification Civil Engineering Position Promotional/Open title for the Orchard Park Engineering Department at range 0014 in the white collar union wage rate schedule as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #9 Authorize the advertisement for the Asst. Civil Engineer positions for the OP Engineering Department.

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

WHEREAS, at the January 4, 2023 Town Board Work Session, the Town Board approved filling the Assistant Civil Engineer position through a promotion or open competition. Due to the Engineering Department's work load, and the resignation letter of Ken Kostowniak, to maintain staffing and continue to complete projects, the position was recommended to be filled if the Civil Engineer position is not able to be; and

WHEREAS, a current Civil Service list does not exist for either the Assistant Civil Engineer or Civil Engineer titles. The Town, therefore, must called for a promotional/open competitive exam. Erie County

Department of Personnel will prepare an open competitive and promotional examination for the Assistant Civil Engineer title; and

WHEREAS, with the current work load of the Engineering Department, this title is recommended to assist in completing the various projects that develop as the Town's Infrastructure ages. The proposed position description of duties includes the following:

Distinguishing features of the Assistant Civil Engineer includes: responsible direction and control of subordinate employees. This involves the assignments of work, approval of work, training, evaluation and discipline of employees. The supervisor aspects are an integral part of the job, not incidental or occasional. Also performs engineering duties and liaison work in connection with the design, construction and maintenance of Town projects; oversees field surveys to obtain data for projects and programs; oversees the obtaining of property line data by survey for survey and deed descriptions use; computes engineering data either manually or through the use of computer; prepares engineering drawings for projects connected with Town plans and projects from surveys either manually or with CADD, or other computer programs; coordinates construction crews; assists in designing bridges, sewage systems, water systems, drainage systems, highways and other Town projects; draws plans and specifications; makes inspections of projects under construction for conformance to plans and standards; assists with reports by compilation of data and providing preliminary drafts and inspects construction projects.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby authorize advertisement for the position of Assistant Civil Engineer for the Town of Orchard Park Engineering Department as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #10 Authorize the Supervisor to sign the HC140 Utility (Relocation of bracket arms and luminaries NY 240/277 and US 20A) Work Agreement with NYSDOT for PMI NY Route 240/277and Us Route 20A

18) 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 NYSDOT Utility Work Agreement – Lighting NY Route 240/277 @ US Route 20A, Project. PIN 5814.39, D264946 in the Town of Orchard Park located in Erie County, PIN 5814.39, D264946; and

WHEREAS, the State will include as part of the construction, reconstruction, or improvement of the above mentioned project the luminaires and bracket arms 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 relocated and or replaced utilities has not been 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 Board of Orchard Park does hereby approve the luminaries and bracket arms 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 Supervisor 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, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #11 Accept the map, plan and report in accordance with Section 191 of the Town Law for the establishment of the Orchard Park Town Wide Stormwater Management District. and authorize the Scheduling of the Public Hearing on the Creation of the Orchard Park Town Wide Stormwater Management District on February 15, 2023 at 7:00PM.

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

WHEREAS, the map, plan and report for the proposed Town Wide Stormwater Management District prepared by GHD in accordance with Article 12 of the Town Law is now available at the Town Clerk's office for public review; and

WHEREAS, the Town has provided stormwater infrastructure management and services for a considerable length of time. However, over the last 19 years, the Town was required to comply with Federal and State regulations and laws which has increased the cost of providing these services. Under the NYSDEC general stormwater permit for Municipal Separate Storm Sewer System (MS4), the Town is required to maintain a stormwater management program (six minimum controls) to reduce the amount of pollutants carried by stormwater during storm events, to waterbodies, to the maximum extent practicable. Additional quantity and quality control measures, codes, standards and specifications were therefore implemented. The creation of individual drainage districts was also necessary to address the additional infrastructure maintenance cost. The current 22 individual drainage districts in Orchard Park were formed per Town Law Section 191. All of these individual districts will be dissolved with the formation of a Town Wide Stormwater Management District; and

WHEREAS, the current method of funding for stormwater is the general fund, highway fund, and the individual drainage districts, which are currently inadequate to maintain and improve the aging stormwater infrastructure. Furthermore, the proposed Federal and State regulations will increase the Town's future funding needs in order to meet these mandates; and

WHEREAS, current Town infrastructure includes storm sewer pipes, catch basins, manholes, culvert pipes, swirl chambers, and retention/detention basins/ponds. The Town has approximately 195 miles of stormwater drain pipe ranging in size from 6 to 72 inches, 110 miles at total center line of roads in the Town and 30.6 miles of ditches along public roads. There are 54 publicly owned and operated detention basins/ponds and 28 private detention basins/ponds including 100 inlet/outlet structures. The Town has 335 identified outfalls; and

WHEREAS, the establishment of a publicly funded Stormwater Management District is in the best interest of the residents. The district will service the entire Town (excluding the Village) with the required management and funding to control water quality and quantity per the Federal EPA Environmental Law,

the Clean Water Act and Stormwater Phase II regulations, while also addressing aging infrastructure maintenance and replacement.

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 Stormwater Management District - SMD 1; and be it further

RESOLVED, that the Town Board does hereby authorize the scheduling of a Public Hearing on the creation of a Town Wide Stormwater Management District at the regular Town Board meeting of February 15, 2023 at 7:00pm as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #12 Refer to the Planning and Conservation Boards.

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

- 3876 Taylor Road, located on the west side of Taylor Road, south of Southwestern Blvd. Joseph DeMarco Jr., requesting to construct a 50-ft. x 240-ft. Office/Warehouse Building, 1.3-acres, Zoned I-1. (SBL#161.00-5-31)
- 3964 California Road, located on the west side of California Road, south of Southwestern Blvd. Joseph DeMarco Jr. is requesting to construct a 60 x 190 / 11,400 +/-sq. ft. Warehouse/Office Building, Zoned I-1. (SBL #161.03-1-8)

The resolution was unanimously adopted.

The following item was tabled:

- 3715 Southwestern Boulevard, located on the south side of Southwestern Boulevard, west of Taylor Road. Joseph DeMarco Jr. is requesting a Special Exception Use Permit to allow a Drive-through and a Cannabis Dispensary, Zoned I-1. (SBL#161.00-5-29)

New Business #13 Approve 2023 Part time appointments for the Recreation and Parks Department.

21) 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 2023 part-time staff appointments for the Orchard Park Recreation and Parks Department retroactive to January 4, 2023 as recommended by the Recreation Director. These names will be on file in the Town Clerk’s Office.

The resolution was unanimously adopted.

BUSINESS FROM THE FLOOR

No one came forward.

ELECTED OFFICIALS & DEPARTMENT MANAGERS

Councilmember Joseph Liberti thanked Dave Holland for assisting in the Building Inspector’s Office.

Councilmember Conor Flynn thanked the Town Board for approving the 5G agreement with Verizon Wireless and he thanked Councilmember Honer and Recreation Director Ed Leak for discussing the accessible playground project for the Community Activity Center. He also reminded the Department Head Managers to review project descriptions for the Grant writers.

Councilmember Julia Mombrea inquired about a presentation for the Townwide Stormwater drainage for the public.

Highway Superintendent Andrew Slotman stated they are picking up brush and Christmas trees. They are also working with United Survey to finish up work on the Sanitary Sewer line project.

22) 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 #2 following auditing by members of the Town Board and in the funds indicated:

General Fund	\$47,541.47
Public Safety Fund	\$12,423.93
Part Town Fund	\$149.38
Risk Retention	-0-
Cemetery Fund	-0-
Highway Fund	\$60,210.69
Special Districts	\$142,203.92
Trust & Agency	\$1,207.00
Capital Fund	\$390,639.59

The resolution was unanimously adopted.

There being no further business, on a motion by Supervisor Majchrzak, seconded by Councilmember Mombrea, the meeting adjourned at 7:34 pm (local time).

Respectfully Submitted,

Jennifer L. Brady
1st Deputy Town Clerk