

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 5th day of July 2023 at 7:11 PM, the meeting was called to order by Supervisor Eugene Majchrzak and there were:

PRESENT AT ROLL CALL:

	Eugene Majchrzak	Supervisor
Absent	Conor Flynn	Councilmember
	Scott Honer	Councilmember
	Joseph Liberti	Councilmember
	Julia Mombrea	Councilmember
	Remy Orffeo	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

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 21, 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 COMMENT ON OLD BUSINESS

No one came forward

Old Business #1 Approve Change Order #3 to our contract with Industrial Power & Lighting Company for the Brush Mountain Little Loop Football Announcers/Storage Building & Lighting Project.

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

WHEREAS, the Engineering Department is requesting the Town Board’s approval of a change order to the electrical contract with Industrial Power and Lighting Corp. for the Little Loop Football Announcer’s / Storage Building & Lighting Project in the amount of \$6,993.17. If approved, this would increase the total contract amount to \$462,749.18, representing an increase of 1.534%; and

WHEREAS, this change order is requested to perform work not included under their original bid. The change in scope of work involves supplying and installing four (4) new 600W LED field lights for the practice field.

The original lights were damaged, either during transport or years of storage. The contractor recently discovered the lights are broken and unusable; and

WHEREAS, this change in scope requires new materials and additional time with specialized equipment to complete the work.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby approve Change Order #3 to our contract with Industrial Power and Lighting Corp. for the Little Loop Football Announcer's / Storage Building & Lighting Project (Electrical Contract) in the amount of \$6,993.17 as recommended by the Town Engineer.

The resolution was unanimously adopted.

Old Business # 2 Authorize the Supervisor to sign a commitment letter to fund the remaining \$39,242.08 to complete Bocce Ball, Entrance Sign and Playground Grant Project.

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

WHEREAS, the Town of Orchard Park has been requested to show formal proof that matching funding for the recently applied grant project (Community Activity Center – Bocce Ball Courts, Entrance Way Sign & Playground Town Funding Commitment) has been dedicated and is secure; and

WHEREAS, the Town's share for these three projects comes to \$39,242.08. The Community Activity Center - Bocce Ball Courts, Entrance Way Sign & Playground will be funded with the use of account TA0000 20079 Recreation for \$39,242.08.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby authorize the Town Supervisor to complete and sign a funding commitment letter in the amount of \$39,242.08. This represents the Town's required portion for these projects. The necessary funding will therefore come from account TA0000 20079, which will cover the funding for the materials, construction and installation as recommended by the Town Engineer.

The resolution was unanimously adopted.

PUBLIC COMMENT ON NEW BUSINESS

No one came forward

New Business #1 Authorize Supervisor to sign a one year agreement with J. O’Connell & Associates, Inc., Grant Consultants, for professional services.

4) 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 authorize the Supervisor to sign a one year agreement with J. O’Connell & Associates, Inc. Grant Consultants, for two professional services (A) Grants Consulting & Proposal Writing and (B) Grants Administration rendered hereunder, the sum of \$3,900.00 per month payable for a total of \$46,000 per year for (A) Grants Consulting & Proposal Writing, and an additional fee of \$85.00 per hour per submitted monthly time sheet for (B) Grants Administration with a cost not to exceed \$17,000.00

per year for professional services performed by J. O’Connell & Associates, Inc. At such a time the fee reaches \$17,000.00 the Town of Orchard Park is free to extend or re-negotiate a new Grants Administration contract.

RESOLVED, that a copy of this agreement is on file with the Orchard Park Town Clerk and is available for public view.

The resolution was unanimously adopted.

New Business #2 Approve a Block Party Permit

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

RESOLVED, that the Town Board is hereby authorized to approve a resident’s request to blockade a portion of Regalwood Drive and Rolling Hills Drive for a block party on August 19, 2023.

The resolution was unanimously adopted.

New Business #3 Approve 2023 part-time Recreation appointments

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

RESOLVED, that the Town Board is hereby authorized to approve the following residents appointments to the 2023 part-time staff for the Orchard Park Recreation and Parks Department effective June 26, 2023 as recommended by the Recreation Director:

- Samara Isbrandt \$16.00 Program Coordinator 1
- Rachael Major \$16.50 Program Coordinator 2

The resolution was unanimously adopted.

New Business #4 Authorize the Supervisor to sign the cooperating letter to participate in the WNY Storm Water Coalition: Municipal Separate Storm System —WNY 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.

7) 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 Environmental Conservation is making available Environmental Protection Funds. The Water Quality Improvement Projects program provides reimbursement for eligible portion 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 in mapping all Stormwater Management Practices in accordance with NYSDEC’s required Basic and Intermediate Mapping Elements; and

WHEREAS, 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, the 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. The Town must submit a draft letter/resolution 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 Board does hereby authorize the Supervisor to sign the cooperating 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 #5 Authorize advertisement for Chestnut Ridge Waterline Replacement Project.

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

WHEREAS, the Orchard Park Engineering Department is finalizing plans, specifications, and bid documents for the replacement of the watermain along Chestnut Ridge Road; and

WHEREAS, plans and specifications for the Chestnut Ridge Road Waterline Replacement Project, prepared by WM Schutt Associates, are available for review in the Engineering Department Office; and

WHEREAS, the work will entail the abandonment and replacement of the existing watermain, replacement of fire hydrants, and new water service connections for residents; and

WHEREAS, bid documents will be available July 13, 2023.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby authorize advertisement in the Orchard Park Bee for sealed bids for the Chestnut Ridge Road Waterline Replacement Project to be opened on August 11, 2023 at 10:00am at the Orchard Park Municipal Center, Basement Meeting Room as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #6 Authorize advertisement for Community Activity Center Generator installation Project.

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

WHEREAS, C&S Companies is finalizing the plans and specifications for the Generator(s) Project at the Community Activity Center. The project consists of the design plans and specifications for the construction of a parallel generator system that will power the entire Community Activity Center; and

WHEREAS, the authorized advertisement for bids should be published on July 5, 2023. Plans will be available for purchase on July 20, 2023. The bid opening will be held on August 10, 2023.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby accept the plans and specifications for the proposed Community Activity Center - Generator Installation Project as prepared by C&S Companies, and authorize advertisements in The Bee & The Minority Reporter for sealed bids to be opened for the Community Activity Center –Generator Installation Project at 2:00 P.M. on August 10, 2023 in the Basement Meeting Room at the Orchard Park Municipal Center as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #7 Authorize advertisement for Community Activity Center Door Openers Installation Project.

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

WHEREAS, the Orchard Park Engineering Department is finalizing the scope of work for the Door Openers Project at the Community Activity Center. The project consists of the general scope of work and basic schematics/plans for the supply and installation of automatic door openers (seven) for specific senior used Community Activity Center restrooms; and

WHEREAS, the authorized advertisement for bids should be published on July 5, 2023. Scope/Plans will be available for purchase on July 20, 2023. The bid opening will be held on August 10, 2023.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby accept the scope of work and plans/schematics for the proposed Community Activity Center — Door Openers Project as prepared by the Engineering Department, and authorize advertisements in The Bee & The Minority Reporter for sealed bids to be opened for the Community Activity Center — Door Openers Project at 2:15 P.M. on August 10, 2023 in the Basement Meeting Room at the Orchard Park Municipal Center as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #8 Approve a Special Event Permit for the Buffalo Bills 50 Yard Finish 5K Family Run.

11) 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 approve the Special Event Permit request for the Buffalo Bills 50 Yard Finish 5K Family Run to be held on Friday September 22, 2023 from 6:15PM-7:15PM at Highmark Stadium, pending receipt of payment, certificate of liability and departmental approvals.

The resolution was unanimously adopted.

New Business #9 Approve a Stable Permit for Skibbereen Farm.

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

RESOLVED, that the Town Board does hereby approve the renewal of the 2023 Public Stable Permit for Skibbereen Farm located at 5142 Bussendorfer Rd., as recommended by the Building Inspector.

The resolution was unanimously adopted.

BUSINESS FROM THE FLOOR

Bridget Pacholec spoke of her concerns regarding a two lot subdivision on Scherff Rd.

Mary Chase spoke of her petition regarding amending the ‘No Trucks’ signs on Bieler Rd.

Paul Zak spoke of his concerns regarding vehicles speeding on Bieler Rd.

ELECTED OFFICIALS & DEPARTMENT MANAGERS

Supervisor Eugene Majchrzak will speak with the Police Chief regarding the concerns of Bieler Rd residents.

Councilmember Joseph Liberti spoke of the 4th of July parade and fireworks. He also addressed concerns regarding the Scherff Rd project.

Councilmember Scott Honer thanked various departments for working together to coordinate the 4th of July parade and fireworks. He also addressed the concerns of Bieler Rd residents and stated that he has no personal or financial stake in the Scherff Rd project.

Councilmember Julia Mombrea addressed the concerns of Bieler Rd residents.

Town Clerk Remy Orffeo informed the Police Chief that a Fox Pest Control representative was at his residence peddling without a permit. He also explained that the Scherff Rd two lot subdivision project is in compliance with the Town Code and confirmed that no variances are being asked for this project.

Highway Superintendent Andrew Slotman updated residents on upcoming paving projects.

Police Chief Patrick Fitzgerald addressed the concerns of Bieler Rd residents.

13) 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	\$51,849.27
Public Safety Fund	\$28,139.77
Part Town Fund	\$4,900.50
Risk Retention	-0-
Cemetery Fund	-0-
Highway Fund	\$92,363.47
Special Districts	\$16,565.21
Trust & Agency	\$4,476.77
Capital Fund	\$55,478.65

The resolution was unanimously adopted.

REPORTS

14) 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 receive and file the May 2023 Building Inspector's Monthly Report.

The resolution was unanimously adopted.

There being no further business, on a motion by Supervisor Majchrzak, seconded by Councilmember Mombrea, the meeting adjourned at 7:42 pm (local time).

Respectfully Submitted,

**Remy C. Orffeo
Town Clerk**