

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 19th day of July 2023 at 6:34 PM, the meeting was called to order by Supervisor Eugene Majchrzak and there were:

PRESENT AT ROLL CALL:

	Eugene Majchrzak	Supervisor
Attended via phone	Conor Flynn	Councilmember
	Scott Honer	Councilmember
	Joseph Liberti	Councilmember
	Julia Mombrea	Councilmember
	Remy Orffeo	Town Clerk
	Timothy D. Gallagher	Town Attorney
Absent	Tom Minor	Building Inspector
Absent	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: July 5, 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

Regarding a Special Exemption Use Permit for Royal Wash Development, LLC, to operate a Car Wash located at V/L north east corner of Milestrip & Abbott Roads, Zoned B-2. (SBL# 152.17-1-8 & 152.17-1-9)

At 7:00PM (local time) Supervisor Majchrzak called for the Public Hearing to hear all interested parties regarding a Special Exemption Use Permit for Royal Wash Development LLC, to operate a Car Wash located at V/L north east corner of Milestrip & Abbott Roads, Zoned B-2. (SBL# 152.17-1-8 & 152.17-1-9)

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 Town Clerk.

Supervisor Majchrzak asked if anyone is interested in speaking or making a comment.

Chris Wood spoke in favor of the project.

2) 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 close the Public Hearing regarding a Special Exemption Use Permit for Royal Wash Development, LLC, to operate a Car Wash located at V/L north east corner of Milestrip & Abbott Roads, Zoned B-2. (SBL# 152.17-1-8 & 152.17-1-9) at 7:02PM.

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 a Special Exemption Use Permit for Royal Wash Development, LLC, to operate a Car Wash located at V/L north east corner of Milestrip & Abbott Roads, Zoned B-2. (SBL# 152.17-1-8 & 152.17-1-9) was conducted on July 19, 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 Special Exemption Use Permit for Royal Wash Development, LLC, to operate a Car Wash located at V/L north east corner of Milestrip & Abbott Roads, Zoned B-2. (SBL# 152.17-1-8 & 152.17-1-9).

The resolution was unanimously adopted.

PUBLIC COMMENT ON NEW BUSINESS

No one came forward

New Business #1 Authorize the Town Supervisor to execute all documents pertaining to the application and acquisition for grant funding under the New York State 2023 Consolidated Funding Application.

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

WHEREAS, to authorize a New York State Consolidated Funding Application (CFA) for funding to perform a feasibility study for site or facility assessment and planning of the Buffalo Bills Football Stadium located at 1 Bills Drive Orchard Park, NY in an amount not to exceed \$100,000 with a required match of at least 10%; and

WHEREAS, the Town of Orchard Park seeks grant funding to perform a necessary feasibility study of the site of the new Buffalo Bills Football Stadium located at 1 Bills Drive Orchard Park, NY; and

WHEREAS, the Town intends to apply for \$100,000 from the ESD, estimated to pay 50% of costs associated with conducting an ESD Urban Community and Development Grant; and

WHEREAS, the Orchard Park Town Board hereby commits 50% matching funds, with 10% of total project costs to be in the form of cash equity, in an amount not to exceed \$50,000.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby authorize and direct the Supervisor to execute all documents pertaining to the application and acquisition of said funding.

The resolution was unanimously adopted.

New Business #2 Authorize the Town Supervisor to execute all documents pertaining to the application and acquisition for grant funding under the New York State 2023 Consolidated Funding Application for the Study of the Flooding Related to the Poplar Heights Subdivision Culvert.

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

WHEREAS, to authorize a New York State Consolidated Funding Application (CFA) for funding to perform a study of the Poplar Heights Subdivision Culvert in an amount not to exceed \$30,000 with a required match of at least 10%; and

WHEREAS, the Town of Orchard Park seeks grant funding to perform a necessary study of the Poplar Heights Subdivision Culvert to determine the best course of action to prevent further erosion, flooding, and worsening sinkholes in the residential area of Hawthorne Drive; and

WHEREAS, the Town intends to apply for \$30,000 from the NYSDEC, estimated to pay 90% of costs associated with conducting a NYSDEC non-agriculture nonpoint source planning grant; and

WHEREAS, the Orchard Park Town Board hereby commits 10% matching funds in an amount not to exceed \$3,000.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby authorize and direct the Supervisor to execute all documents pertaining to the application and acquisition of said funding.

The resolution was unanimously adopted.

New Business #3 Approve a Special Event Permit for the Orchard Park High School Pep Club Homecoming Parade on Saturday September 30, 2023.

6) 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 Events Permit for the Orchard Park High School Pep Club Homecoming Parade to be held on Saturday September 30, 2023 from 10AM-11:00AM contingent upon receipt of the required fees and forms.

The resolution was unanimously adopted.

New Business #4 Approve Budget Transfer for Orchard Park Town Clerk’s Office.

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

RESOLVED, that the Town Board hereby authorize the following transfer of the 2023 adopted budget in the amount of \$80.00

Increase Appropriations:		
B04020 50419	Registrar of Vital Statistics other contractual	\$80.00
Decrease Appropriations:		
B08010 50400	Zoning Office Supplies	\$80.00

The resolution was unanimously adopted.

New Business #5 Approve 2023 part-time Recreation appointments.

8) 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 retroactive July 18, 2023 as recommended by the Recreation Director:

- Willa Alessi \$16.00 Program Coordinator 1
- Kathryn Lapadat \$16.00 Lifeguard 1

The resolution was unanimously adopted.

New Business #6 Authorize Supervisor to sign Memorandum of Agreement regarding range change for Code Enforcement Officers

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

WHEREAS, the Town of Orchard Park and CSEA, incorporated, Local 1,000 AFSCME, AFL-CIO Orchard Park White Collar Unit #6765-01 Local #815 have agreed that various position titles will be revised, and

WHEREAS, the Town and Local #815 have agreed to these revisions through a Memorandum of Agreement (MOA) Regarding Range Changes, and

WHEREAS, these revisions will be effective retroactive on July 10, 2023, and

WHEREAS, a copy of the MOA is on file in the Town Clerk's office

NOW. THEREFORE be it

RESOLVED, that the Town Board does hereby authorize the Town Supervisor to sign the MOA with White Collar Unit #6765-01 Local #815.

The resolution was unanimously adopted.

BUSINESS FROM THE FLOOR

Amy Burkett inquired about Orchard Park Police Officers being trained to carry Epinephrine auto inject pens in all Police cars. She also asked about organizing a 5K to raise food allergy awareness.

ELECTED OFFICIALS & DEPARTMENT MANAGERS

Councilmember Joseph Liberti inquired about grants available to assist in equipping Orchard Park Police cars with Epinephrine auto injectors. He also spoke of Quaker Days events going on in the Town in the upcoming weeks.

Highway Superintendent Andrew Slotman informed the Town of Highway’s paving schedule.

10) 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 #14 following auditing by members of the Town Board and in the funds indicated:

General Fund	\$105,080.90
Public Safety Fund	\$1,096.10
Part Town Fund	\$198.99
Risk Retention	-0-
Cemetery Fund	-0-
Highway Fund	\$29,347.16
Special Districts	\$47,157.57
Trust & Agency	\$2,565.19
Capital Fund	\$63,983.07

The resolution was unanimously adopted.

COMMUNICATIONS

11) 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: Petitions regarding Scherff Rd. flag lots.

The resolution was unanimously adopted.

REPORTS

12) 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 receive and file the June 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 7:03 pm (local time).

Respectfully Submitted,

**Remy C. Orffeo
Town Clerk**