

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 4th day of October 2023 at 7:30 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
	Tom Minor	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: September 20, 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 Dedicate PIP# 2023-01 Riley Meadows West Phase 4 and Release the Performance Security.

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

WHEREAS, on September 22, 2023, a final inspection was conducted of the public improvements installed in the Riley Meadows West Subdivision, Phase 4. The project included the installation of the extension of Grove Road. The completion of this Subdivision's Phase 4 will allow 4 new single-family residential lots to be developed; and

WHEREAS, all work has been satisfactorily completed in accordance with Town specifications with the exception of the following, which will be completed when the materials are available:

- Installation of 1- Light Pole with fixture and supply all required spare parts to SW&L. \$10,000

WHEREAS, the Engineering Department is in receipt of the \$10,000 cash securities for the item noted above. A two-year maintenance bond in the amount of \$115,572.50 has been submitted along with all other necessary documents; and

WHEREAS, the following is required by NYSDOT and will allow these new roadways to be included into the Local Highway Inventory (LHI) program, which is used to calculate Chips funding; and

WHEREAS, the Town Engineer recommends the Town Board adopt the following resolution:

WHEREAS, Grove Road was constructed as a Town street in accordance with plans and specifications prepared by Carmina Wood Design; and

WHEREAS, the two lane street is 0.07-miles in length and consist of a new drainage system, sanitary sewers, waterline, gutters, asphalt pavement, landscaping and street signage; and

WHEREAS, construction of Grove Road has been completed in accordance with as-built drawings and has been accepted for maintenance by the Town and is currently open to vehicular traffic for the public.

NOW, THEREFORE be it

RESOLVED, that Grove Road shall be included in the 2023 Town Local Highway Mileage Inventory of Town Streets; and, be it further

RESOLVED, that New York State Department of Transportation is requesting to include Grove Road in the Town of Orchard Park's 2023 Inventory of Streets; and be it further

RESOLVED, that the Town Board does hereby authorize the Town Attorney to proceed with the dedication of the public improvements in the Riley Meadows West Subdivision Phase 4 constructed under PIP #2023-01, and be it further

RESOLVED, that the Town Board does hereby authorize the Town Clerk to release the performance security in the amount of \$23,114.50 as recommended by the Town Engineer.

The resolution was unanimously adopted.

Old Business # 2 Approve release of Escrow for PIP# 2021-02 Birdsong Part 3B Subdivision Phase 1 & Phase 2A.

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

WHEREAS, on November 16, 2022, the Town Board accepted dedication of the public improvements constructed in the above referenced subdivision with the stipulation that funds paid by the developer be held in escrow until fine grading of topsoil, seeding and mulching of detention pond and easement areas was completed; and

WHEREAS, the developer has since installed the required landscaping of detention pond & easement areas. The work was inspected by the Engineering Department and found to be in compliance with Town specifications.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby authorize the Town Clerk to release the \$20,000 held in escrow under PIP #2021-02 Birdsong Part 3B Subdivision Phase 1 & Phase 2A for fine grading of topsoil, seeding and mulching of detention pond and easement areas to Forbes Homes, Inc., 470 Cayuga Road, Cheektowaga, New York as recommended by the Town Engineer.

The resolution was unanimously adopted.

Old Business #3 Authorize the release of retention and final payment for the Abandoned Milestrip Water Tank.

4) 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 construction work on the Abandoned Milestrip Road Water Tank Demolition Project has been completed. On September 13, 2023, a final inspection was conducted and all of the work has since been satisfactorily completed in accordance with the contract documents and specifications; and

WHEREAS, the Affidavit of Release of Liens, Affidavit of Subcontractor Payment, and necessary legal documents have been submitted; and

WHEREAS, the final project pay application as well as the current deed for the property has been submitted; and

WHEREAS, in accordance with the written deed, the land is to be released back to the original owner of the property once no longer in use by the Town of Orchard Park for the water tank. The son, William Mutka, resides on the original property. As discussed, the land could be retained or acquired for trail access to the Knoche Subdivision Town Park area. The current owner has set a high price on the property.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby authorize the release of retention and final payment for the Abandoned Milestrip Road Water Tank Demolition Project to Regional Environmental Demolition, 6281 Wendt Drive, Niagara Falls, NY 14302 as recommended by the Town Engineer.

The resolution was unanimously adopted.

Old Business #4 Authorize the Town Attorney to proceed with the property transfer of the Abandoned Milestrip Water Tank.

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

WHEREAS, the Engineering Department is pleased to inform the Town Board that construction work on the Abandoned Milestrip Road Water Tank Demolition Project has been completed. On September 13, 2023, a final inspection was conducted and all of the work has since been satisfactorily completed in accordance with the contract documents and specifications; and

WHEREAS, the Affidavit of Release of Liens, Affidavit of Subcontractor Payment, and necessary legal documents have been submitted; and

WHEREAS, the final project pay application as well as the current deed for the property has been submitted; and

WHEREAS, in accordance with the written deed, the land is to be released back to the original owner of the property once no longer in use by the Town of Orchard Park for the water tank. The son, William Mutka, resides on the original property. As discussed, the land could be retained or acquired for trail access to the Knoche Subdivision Town Park area. The current owner has set a high price on the property.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby authorize the Town Attorney to proceed with the property transfer back to William Mutka, 7894 Milestrip Road, Orchard Park, NY 14127 as recommended by the Town Engineer.

The resolution was unanimously adopted.

Old Business #5 Approve Change Order to the contract for the Chestnut Ridge Rd and Duerr Rd Waterline Improvement Project

6) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR MAJCHRZAK, 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 contract with Wm. Schutt Associates for the Chestnut Ridge Rd. & Duerr Rd. Waterline Replacement Project in the amount of \$8,113. If approved, this would increase the total contract amount to \$49,113.00, representing an increase of 19.8%; and

WHEREAS, preliminary Design Plans for the Chestnut Ridge Road Waterline were sent to the NYSDOT for their comment on the alignment. They requested alignment for the waterline to be installed on easement outside of the ROW due to utility conflicts and only allowing installation in state pavement if no other options are available at the time, but due to negative/no response for easements from the residents, the project had to be redesigned to place the waterline in the roadway with NYSDOT approval; and

WHEREAS, this Change Order is requested to perform the additional design work needed to re-align the watermain in the Chestnut Ridge Road, and coordination with NYSDOT design work which was not covered under the current contract with Wm. Schutt Associates.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby approve Change Order #2 to our contract with Wm. Schutt Associates for the Chestnut Ridge Rd. & Duerr Rd. Waterline Replacement Project in the amount not to exceed \$8,113,00 as recommended by the Town Engineer.

The resolution was unanimously adopted.

Old Business #6 Approve Change Order to the Contract for Town Wide (excluding Village) collection, hauling, and disposal of tree/brush waste.

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

WHEREAS, the Town Board does hereby authorize a change order to the contract for Town Wide (excluding Village) collection, hauling, and disposal of tree/brush waste, Section 8 Period of Contract and Section 9 Payment and Adjustments; and

WHEREAS, the Town and Contractor have agreed to extend the Period of Contract for a Two (2) week period, the new termination date for the 2023 collection season will be December 1, 2023; and

WHEREAS, the Town and Contractor have agreed that the weekly brush collection schedule will continue with the following schedule:

- Zone 1 will be collected from October 30 - November 4
- Zone 2 will be collected from November 6 - November 11
- Zone 3 will be collected from November 13- November 18
- There will be no collection the week of November 20 due to the Thanksgiving Holiday
- Zone 4 will be collected from November 27 - December 1.

NOW, THEREFORE be it

RESOLVED, that the price increase for this extended period will be \$14,885.72 and there is funding available in budget code SR 8161 50456 to cover the additional expense, per the Orchard Park Highway Superintendent.

The resolution was unanimously adopted.

Old Business #7 Reinstate Public Safety Dispatcher.

8) 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 reinstate Tara Scolese to the position of Full Time Public Safety Dispatcher, effective October 22, 2023, pay range 0009 step E as recommended by the Chief of Police.

The resolution was unanimously adopted.

Old Business #8 Authorize the Supervisor to sign the consulting proposal regarding the LGRMIF Grant.

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

WHEREAS, the Orchard Park Police Department was the recipient of a NYS Local Government Records Management Improvement Fund (LGRMIF) Grant: and

WHEREAS, the grant fully funds the position of an Archives and Records Management Consultant, and

WHEREAS, the grant provides for a consulting proposal which shall contain a plan for carrying out the Police Records Archives project.

NOW, THEREFORE be it

RESOLVED, that upon the recommendation of the Chief of Police, the Town Board does hereby approved retaining James M. Tammaro as the Archives and Records Consultant and authorizes the Town Supervisor sign the consulting proposal with James M. Tammaro. Mr. Tammaro shall be compensated at a rate of pay as defined in the grant, total payment not to exceed \$8,550.00, effective September 21, 2023.

The resolution was unanimously adopted.

PUBLIC COMMENT ON NEW BUSINESS

Peter Sorgi asked for clarification on New Business #11 that has been tabled.

New Business #1 Approve 2023-2024 Commercial Parking Permits

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

RESOLVED, that the Town Board does hereby approve the following 2023-2024 Commercial Parking Permits, as approved by the Chief of Police and Building Inspector:

Bieler, Kevin, 3946 Southwestern Blvd.
Eagan, Jim, 3785 Southwestern Blvd.
Hanley, Sean, 3944 California Rd.
Nowakowski, Frank, 3755 Abbott Rd.

Riordan, Cassie, 3748 Southwestern Blvd
Simoncelli, Dave, 3730 California Rd.
Violanti, Samuel, 3763 Abbott Rd.

The resolution was unanimously adopted.

New Business #2 Approve 2023 Stable Permits

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 approve the renewal of the following 2023 Public Stable Permits as recommended by the Building Inspector:

Chestnut Creek Farm located at 5624 Chestnut Ridge Road and Willow View Equestrian located at 7895 E. Quaker Road.

The resolution was unanimously adopted.

New Business #3 Approve a 2023 part-time Recreation Department appointment

12) 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 resident appointment to the 2023 part-time staff for the Orchard Park Recreation Department retroactive to August 30, 2023 as recommended by the Recreation Director:

Katherine Regan \$16.00 Lifeguard 1

The resolution was unanimously adopted.

New Business #4 Appoint Interim Assessor

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

WHEREAS, the Orchard Park Town Assessor, Daniel Stanford, has recently retired; and

WHEREAS, the Town of Orchard Park has not completed the process of hiring Mr. Stanford’s successor; and

WHEREAS, the duties and responsibilities of the Orchard Park Town Assessor are ongoing; and

WHEREAS, the Town of Orchard Park Assessor’s office needs leadership during this interim period; and

WHEREAS, Nancy Kenlon, currently on the Town Assessor’s staff, is ready, willing and able to assume the role of Acting Assessor until Daniel Stanford’s successor is chosen.

NOW, THEREFORE be it

RESOLVED, that the Orchard Park Town Board hereby appoints Nancy Kenlon as the Town of Orchard Park Acting Assessor effective retroactively to October 2, 2023; and be it further

RESOLVED, that the Town Board does hereby continue this appointment until a new Town Assessor is chosen and appointed by the Orchard Park Town Board.

The resolution was unanimously adopted.

New Business #5 Approve Budget Amendment

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

Benefit Basis Budget (Drainage Fund)

WHEREAS, officers and employees in charge of various administrative units of the government of the Town of Orchard Park have submitted estimates of revenues and expenditures for the fiscal year ending December 31, 2024, and

WHEREAS, the Town Supervisor, as the Town's Budget Officer, has caused a tentative benefit basis budget to be prepared, and the Town Clerk has presented such budget to this Town Board, and

WHEREAS, the Town Board has met and considered the preliminary budget for the year ending December 31, 2024.

NOW, THEREFORE, be it

RESOLVED, that the preliminary budget is changed, altered and revised and as hereinafter set forth, for the fiscal year ending December 31, 2024.

Account Code		Decrease Amount		
OPDD Cemetery	DD0000	41001	\$	130.50
OPDD Non Res S&C	DD0000	41001	\$	18,972.00
OPDD Non Res Town	DD0000	41001	\$	11,310.00
OPDD Res S&C	DD0000	41001	\$	114,762.00
OPDD Res Town	DD0000	41001	\$	370,156.00
OPDD Vacant	DD0000	41001	\$	19,662.00
			\$	534,992.50

Account Code		Increase Amount		
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Laborers	DD8540	50105	\$	150,000.00
Equipment	DD8540	50200	\$	187,500.00
Unif/Clothing	DD8540	50407	\$	1,000.00
Gas, Oil, Diesel	DD8540	50416	\$	10,000.00
Underground Repair;	DD8540	50591	\$	4,000.00
Equipment Rental	DD8540	50456	\$	5,000.00
Stone	DD8540	50472	\$	5,000.00
Concrete & Catch B	DD8540	50473	\$	10,000.00
Culvert Pipe	DD8540	50474	\$	15,000.00
Allocated Cost of Or	DD8540	50520	\$	8,837.50
State Retirement	DD9010	50810	\$	32,000.00
Social Security	DD9030	50830	\$	9,300.00
Workers Compensat	DD90040	50840	\$	37,000.00
Life Insurance	DD9045	50845	\$	250.00
Unemployment Insu.	DD9050	50850	\$	3,180.00
Medical Insurance	DD9060	50860	\$	50,000.00
Flex Plan	DD9065	50865	\$	2,250.00
Dental Insurance	DD9061	50861	\$	2,500.00
Medicare	DD9090	50890	\$	2,175.00
				\$ 534,992.50

New Business #6 Authorize payment of Lakeview Avenue ECWA hydrant fees

15) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER MOMBREA, 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 amount upon dedication of the various construction projects per the lease management agreement between the Town of Orchard Park and ECWA; and

WHEREAS, the total construction of the Lakeview Avenue road reconstruction project will result in adding two (2) hydrants in service.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby authorize the payment of the two (2) additional hydrant fee amounts upon dedication of the Lakeview Avenue Reconstruction Project, per the lease management agreement between the Town of Orchard Park and ECWA, at an annual rate of \$160.80 per hydrant upon recommendation of the Town Engineer.

The resolution was unanimously adopted.

New Business #7 Approve PIP# 2023-03 Riley Meadows West Phase 3

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

WHEREAS, the Engineering Department has received from Andrew Romanowski, Alliance Homes, 4727 Camp Road, Hamburg, New York 14075, an application for a Public Improvement Permit to construct the Riley Meadows West Subdivision Phase 3; and

WHEREAS, the project consists of the installation of 1,600 L.F. of new roadway and public utilities to serve 21 residential sublots; and

WHEREAS, the Engineering Department has reviewed the plans and specifications for the proposed project and have found them to be in compliance with current Town Specifications and Standards. The Town is in receipt of all necessary fees, bond, and insurances.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby approve of Public Improvement Permit #2023-03 for the Riley Meadows West Subdivision Phase 3 as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #8 Authorize the Supervisor to sign an agreement with Nussbaumer & Clark Inc. for professional services for the design of Elmtree Road and Dorchester Road Reconstruction Project and approve a Budget Transfer.

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

WHEREAS, for the Elmtree and Dorchester Reconstruction Project to be completed in 2024, the use of a consultant for design would be necessary with the current work load of the Town of Orchard Park Engineering Department. Although the number of water breaks are low, to take advantage of economy of scale for design and construction cost, the section of Elmtree and Dorchester Roads' waterline (1954/58 - 69 years old) was included in the scope of work for design to reconstruct the roadways; and

WHEREAS, the Town of Orchard Park received a request for proposal submittal from Nussbaumer & Clarke, Inc the Town Engineer has met with a representative of the firm to review contract language, refine a scope of services and negotiate an appropriate fee structure; and

WHEREAS, the Town Engineer proposed scope of services and agreement with Nussbaumer & Clarke, Inc. is satisfactory and will accomplish the goals of the project as set forth by the Town. The Town completed field topo & boundary work, and private utility markups have been received; and

WHEREAS, the design work scope for the road and waterline, coordinating with Erie County Highway, and assisting the Town with developing bid documents (plans and specifications). The Basic Design Services is estimated at \$68,400 plus contingencies; and

WHEREAS, the scope of services, as set forth by the Town, consists of completion of full design plans, meetings with involved agencies assisting with preparation of specifications and bid documents, and clarification of design principles for the bid process; and

WHEREAS, there is presently a Capital Project DB010, Elmtree /Dorchester account and transfer for funding as recommended.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby authorize the Supervisor to sign an agreement with Nussbaumer & Clarke, Inc., 3556 Lake Shore Road, Suite 500, Buffalo, New York 14219, to provide Design Professional Services for the Elmtree and Dorchester Reconstruction Project in an amount not to exceed \$70,000.00 as recommended by the Town Engineer; and be it further

RESOLVED, that the Town Board does hereby approve the transfer of \$120,000 from Capital Account DB005, "Miscellaneous Culverts" to Capital Account DB010, "Elmtree/Dorchester Reconstruction" as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #9 Authorize Town to enter into an agreement for nuisance beaver removal

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

WHEREAS, it has been determined that profound damage is being incurred to the Birdsong Park Nature Trail System such as impassable walking paths, fallen trees and boardwalk deterioration caused by high water pond overflow and flooding; and

WHEREAS, the Town has consulted with and received approval from the New York State Department of Environmental Conservation for a permit to remove the beaver lodges and dams in order to minimize/eliminate further problems; and

NOW, THEREFORE be it

RESOLVED, the Town enters into an agreement with J A G Enterprises WNY LLC, 5363 Big Tree Road, Orchard Park, NY 14127 for services to conduct nuisance animal removal. Attachments to this resolution include the DEC permit, scope of work, service agreement and pricing.

The resolution was unanimously adopted.

New Business #10 Authorize purchase of 2024 Morbark 6400X Wood Hog Grinder

19) 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 authorize the Highway Superintendent to sign a letter of commitment with L.C. Whitford and Morbark for the purchase of a 2024 Morbark 6400X Wood Hog Grinder.

The resolution was unanimously adopted.

New Business #11 Review Rezoning Recommendation regarding 4038 California Rd.

20) This item was tabled.

New Business #12 Refer to the Planning Board for review and recommendation

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

- Arch Cutting Tools, 5720 Ellis Road, located on the north side of Ellis Road, Zoned I-1. Applicant is seeking to construct a 4,200 square foot warehouse addition to an existing building, and additional employee parking. (SBL#161.03-1-13.1 &161.03-1-14.1)

- V/L, located on Burton at Powers Roads, Zoned R-2/A-1, SBL#184.15-1-5.111. Cornell Cooperative is seeking to construct an 8,700-gsf. 1-story Building for Educational and Office space with associated site improvements and parking spaces.

The resolution was unanimously adopted.

Not on Agenda

New Business #13 Approve Joint Public Hearing for Annexation

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

RESOLVED, that a joint hearing will take place on Monday, November 13, 2023 at 6:30PM for the purpose of providing an opportunity for public input regarding the annexation of territory contained in Exhibit A (on file in the Town Clerk's office) into the Town of Orchard Park from the Village of Orchard Park and approving the annexation of territory contained in Exhibit B (on file in the Town Clerk's office) into the Village of Orchard Park from the Town of Orchard Park.

The resolution was unanimously adopted.

BUSINESS FROM THE FLOOR

John Henderson spoke regarding his Commercial Parking Permits that have not been approved.

Mary Chase gave a handout to the Town Board and spoke regarding the ongoing Bieler Road traffic issues.

Paul Zak gave a handout to the Town Board and spoke regarding solutions for the Bieler Road traffic issues.

Holly Byrd spoke regarding the need for safer conditions for children crossing Baker Road from Kathryn Road near the High School.

Brooke Majka, Elizabeth DeMarco and Brian Caldwell spoke regarding cars speeding in the West Royal Hill Drive, East Royal Hill Drive and Hunters Ridge Road neighborhood.

David Even spoke regarding the Village and Town annexations.

ELECTED OFFICIALS & DEPARTMENT MANAGERS

Supervisor Eugene Majchrzak welcomed back Tara as a full-time Public Safety Dispatcher.

Councilmember Joseph Liberti welcomed back Tara as a full-time Public Safety Dispatcher. He also thanked residents for attending and speaking in front of the Town Board.

Councilmember Conor Flynn spoke regarding sidewalks near the High School and Elementary Schools. He also addressed New Business #11 that was tabled.

Councilmember Scott Honer welcomed back Tara as a full-time Public Safety Dispatcher and thanked Nancy Kenlon for assuming the role of Acting Assessor. He also told residents that he is grateful for their ideas to better their community.

Councilmember Julia Mombrea thanked residents for coming to speak in front of the Town Board.

Town Engineer Wayne Bieler spoke regarding sidewalks and crosswalks near the High School.

Building Inspector Tom Minor addressed questions regarding Commercial Parking Permits.

Highway Superintendent Andrew Slotman informed residents of the November brush collection schedule. This information is available on the Town’s website.

Police Chief Patrick Fitzgerald welcomed back Tara as a full-time Public Safety Dispatcher.

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

RESOLVED, that the Town Board does hereby authorize the approval of all entries on Warrant #19 following auditing by members of the Town Board and in the funds indicated:

General Fund	\$103,038.01
Public Safety Fund	\$49,724.40
Part Town Fund	\$10,811.71
Risk Retention	-0-
Cemetery Fund	-0-
Highway Fund	\$29,743.31
Special Districts	\$44,563.40
Trust & Agency	\$3,257.13
Capital Fund	\$1,580.00

The resolution was unanimously adopted.

There being no further business, on a motion by Supervisor Majchrzak, seconded by Councilmember Flynn, the meeting adjourned at 8:33 pm (local time).

Respectfully Submitted,

**Remy C. Orffeo
Town Clerk**