

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 6th day of January 2021 at 7:54 PM, the meeting was called to order by Deputy Supervisor Joseph Liberti and there were:

PRESENT AT ROLL CALL:

	Joseph Liberti	Supervisor
	Eugene Majchrzak	Deputy Supervisor
		Councilmember
Present Via Phone	Conor Flynn	Councilmember
	Remy Orffeo	Town Clerk
	Timothy D. Gallagher	Town Attorney
	Steve Bremer	Building Inspector
	E. Joseph Wehrfritz	Chief of Police
	Frederick Piasecki, Jr.	Highway Superintendent
	Wayne Bieler	Town Engineer

Deputy Supervisor Liberti 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 COUNCILMEMBER MAJCHRZAK, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER FLYNN, TO WIT:

RESOLVED, that the Town Board does hereby approve the Regular Meeting Minutes: December 16, 2020 and Executive Session: December 16 & 23, 2020 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

This in person portion of the meeting was waived due to COVID regulations. No communications were submitted to the Town Board.

Old Business #1 Decision on Local Law regarding §45-10 Building Permits Subparagraph 1

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

WHEREAS, following due and timely notice, a public hearing relating to the matter of a Local Law regarding §45-10 Building Permits, Subparagraph I, was held on December 16, 2020 at which time all interested parties were given an opportunity to speak, and

WHEREAS, the Town Board closed the meeting and stated the Local Law would be addressed at the January 6, 2021 Town Board Meeting.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby adopt a proposed Local Law regarding §45-10 Building Permits, Subparagraph I,

Town Clerk Remy Orffeo called for a roll call vote:

Councilmember Majchrzak	Nay
Councilmember Flynn	Nay

The resolution failed.

PUBLIC COMMENT ON NEW BUSINESS

This in person portion of the meeting was waived due to COVID regulations. No communications were submitted to the Town Board.

New Business #1 Accept notice of retirement.

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

RESOLVED, that the Town Board does hereby accept official notice of Captain Jason Schiedel to retire from the Orchard Park Police Department, effective January 31, 2021.

The resolution was unanimously adopted.

New Business #2 Promote Lieutenant Gregory Sheppard

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

RESOLVED, that the Town Board does hereby promote Lieutenant Gregory Sheppard to the Position of Patrol Captain, (provisional) effective February 1, 2021, rate of pay as defined in the Collective Bargaining Agreement as recommended by the Chief of Police.

The resolution was unanimously adopted.

New Business #3 Approve Operating Permit & Mobile Food Vending Permit

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

WHEREAS, the Town of Orchard Park has completed an inspection of the food truck for Lloyd Products, Inc, and

WHEREAS, the Town of Orchard Park Fire Inspector has approved an Operating Permit for Lloyd's Food Truck, and

WHEREAS, the Operating Permit fee and Town of Orchard Park Mobile Food Vending Permit fee have been paid, and a certificate of liability insurance has been provided, and

WHEREAS, the approved locations for Lloyd's Food Trucks are: the Hammocks (on various Mondays 5:00pm – 8:00pm) and Consumer's Beverages Orchard Park, (on various Fridays 5:00pm -8:00pm), and

WHEREAS, Lloyds has agreed to comply with the Town of Orchard Park Town Codes and policies.

NOW, THEREFORE, be it

RESOLVED, that the Town Board of Orchard Park does hereby approve the Operating Permit, town Mobile Food Vending Permit and locations of Lloyd's Food Trucks in the Town of Orchard Park for the year 2021.

The resolution was unanimously adopted.

New Business #4 Approve Part-time Recreation Staff Rate Change

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

RESOLVED, that the Town Board does hereby approve the following 2021 Spring/Winter Seasonal Recreation Staff Appointment, dependent upon the applicant providing the appropriate certification.

2021 winter/ spring Seasonal Part Time Staff Rate Change retro-active 1/4/21

	<u>Old Rate</u>	<u>New Rate</u>
Carmila Stafford	\$14.00	\$16.00 P17-C (Att)

Councilmember Majchrzak called for a roll call vote:

Councilmember Majchrzak	Nay
Councilmember Flynn	Nay

The resolution failed.

New Business #5 Approve Budget Amendment – CARES funding

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

WHEREAS, the Town has received Coronavirus Aid, Relief and Economic Security (CARES) funding in the amount of \$12,607.91, and

WHEREAS, the proceeds and purchase of supplies and equipment were not included in the 2020 budget.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorize the amending of the 2020 adopted budget to authorize additional appropriations and estimated revenues in the amount of \$12,607.91:

Increase Appropriations:

A07180 50400	CAC Supplies	\$189.92
A07180 50400	CAC Supplies	\$2,957.82
A07610 50200	Senior — Equipment	\$39.98
A07610 50419	Senior — Other Exp	\$302.87
A01680 50200	IT Equipment	\$6,605.64
DB5130 50407	HW/Machinery — Uniform/clothing	\$856.75
PS3120 50400	Public Safety - Supplies	\$1,636.35
PS3120 50419	Public Safety — Other contractual	\$18.58

Increase Estimated Revenues:

A00000 44489	Fed Aid — Other	\$10,096.23
DB0000 44489	Fed Aid — Other	\$856.75
PS0000 44489	Fed Aid — Other	\$1,654.93

The resolution was unanimously adopted.

BUSINESS FROM THE FLOOR

This in person portion of the meeting was waived due to COVID regulations. No communications were submitted to the Town Board.

ELECTED OFFICIALS & DEPARTMENT MANAGERS

Deputy Supervisor Liberti informed residents how to sign up for Town issued RED ALERTS through the Town website.

Councilmember Majchrzak wished everyone a Happy New Year and thanked residents for being patient and cooperating with the COVID 19 regulations imposed by the State.

Town Attorney Timothy D. Gallagher thanked the Town Board for appointing him.

Highway Superintendent Fred Piasecki stated the Highway Department is picking up Christmas trees and doing small drainage jobs.

Police Chief Wehrfritz thanked Captain Jason Schiedel for his years of excellent service and congratulated Captain Gregory Sheppard on his promotion.

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

RESOLVED, that the Town Board does hereby authorize the approval of all entries on Warrant # 1 following auditing by members of the Town Board and in the funds indicated:

General Fund	\$121,320.23
Public Safety Fund	\$30,419.65
Part Town Fund	\$1,328.00
Risk Retention	-0-
Cemetery Fund	-0-
Highway Fund	\$39,699.03
Special Districts	\$213,247.61
Trust & Agency	\$1,265.04
Capital Fund	\$290,106.56

The resolution was unanimously adopted.

REPORTS

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

RESOLVED, that the Town Board does hereby received and file: The Orchard Park Historical Society 2020 Annual Report.

The resolution was unanimously adopted.

There being no further business, on a motion by Councilmember Majchrzak, seconded by Councilmember Flynn, the meeting adjourned at 8:08PM (local time).

Respectfully Submitted,

Remy C. Orffeo
Town Clerk