

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 16<sup>th</sup> day of June 2021 at 7:00 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
	Conor Flynn	Councilmember
		Councilmember
	Remy Orffeo	Town Clerk
	Timothy Gallagher	Town Attorney
	Steve Bremer	Building Inspector
	E. Joseph Wehrfritz	Chief of Police
	Ernest Matthews	Deputy Highway Superintendent
	Wayne Bieler	Town Engineer
Absent	Frederick Piasecki, Jr.	Highway Superintendent

**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: June 2, 2021 and Executive Session: June 2 & 9, 2021 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.**

**\*\*\*\*\* SPECIAL PRESENTATION \*\*\*\*\***

<b>SENIOR YOUTH COURT AWARDS</b>		
Autumn Cwick	Julie Heard	Connell Reed
Ashley DeNysschen	Lauren Hrusa	Joe Ricotta
Jack Dolce	Katie Jones	Paige Salmon
Daniel El Solh	Henry Kamis	Ava Savarino
Steven Fertel	Michael Mainella	Lucas Schaffer
Kaitlin Fotevski	Devon Manne	Andrew Sovinski
Alexa Gioia	Brian Murphy	Peter Sovinski
Bridget Gomez	Abigail Nelson	Emma Walker
Ellie Graber	Kaylee Rains	Ryan Werdein

Youth Court Director, Detective John Payne gave awards to the seniors graduating through the Youth Court Program.

\*\*\*\*\* **PROCLAMATION HONORING TOWN CLERK REMY C. ORFFEO** \*\*\*\*\*

**WHEREAS**, a great community is possible by individuals who perform exceptional service on behalf of the community through dedication, commitment and concern; and

**WHEREAS**, professional municipal clerks week is a time to highlight the value of the office of municipal clerk, a time honored and vital part of the town's government; and

**WHEREAS**, it is the privilege of the Orchard Park Town Board to honor Remy C. Orffeo for his exceptional service to the community during the 52<sup>nd</sup> Annual Professional Municipal Clerks Week, occurring May 2 - May 8, 2021; and

**WHEREAS**, Remy C. Orffeo has demonstrated dedication to the office of Town Clerk and the greater community of the Town of Orchard Park that he has served; and

**WHEREAS**, it is the belief of the Orchard Park Town Board that when individuals achieve accomplishments above and beyond, to publicly proclaim and commend those individuals for their tenacity, diligence and hard work; and

**WHEREAS**, such service, which is truly the lifeblood of the community, so often goes unrecognized and unheralded.

**NOW, THEREFORE be it**

**RESOLVED**, that the Town of Orchard Park Town Board recognize, that in Remy C. Orffeo, we have an individual worthy of our highest respect and esteem; and be it further

**RESOLVED**, that a copy of this proclamation be transmitted to Remy C. Orffeo for recognition and appreciation as an outstanding professional Municipal Clerk.

**The resolution was unanimously adopted.**

**PUBLIC COMMENT ON NEW BUSINESS**

No one came forward

**New Business #1 Appoint Building & Zoning Clerk**

**2) 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 a desire to retain experienced and well qualified personnel, and

**WHEREAS**, Natalie Nawrocki has worked full-time for the Town of Orchard Park for over Two & a Half Years as a Clerk Typist II, and

**WHEREAS**, upon recommendation of Building Inspector Steven Bremer the Orchard Park Town Board wishes to appoint Natalie Nawrocki to the position of Building & Zoning Clerk,

**NOW, THEREFORE, BE IT RESOLVED** that:

1) The Town of Orchard Park hereby creates the position of full-time Building & Zoning Clerk, and

- 2) The Town of Orchard Park hereby appoints Natalie Nawrocki on a provisional basis to the newly created position of Building & Zoning Clerk, and
- 3) Ms. Nawrocki's appointment will become permanent once she passes the requisite civil service exam.
- 4) Ms. Nawrocki is assessed a pay range of 0008 under the White Collar Collective Bargaining Contract starting at \$22.17 step (A) pursuant to Appendix "F" - 2019 Salary Schedule, and
- 5) Ms. Nawrocki will be placed on a leave of absence from her current position as Clerk Typist II until permanent appointment, and
- 6) Ms. Nawrocki appointment will be effective June 14<sup>th</sup> 2021, and
- 7) Ms. Nawrocki will have the formal title of Building & Zoning Clerk.

**The resolution was unanimously adopted.**

**New Business #2 Appoint 2021 Seasonal Summer Staff to OP Recreation Dept.**

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

**RESOLVED**, that the Town Board does hereby approve the following appointments to the staff of the Town of Orchard Park Recreation Department Summer Seasonal for 2021, and PT spring, fall, winter & spring staffing for 2021-2022, effective 6/5/21, to replace staff who declined their position for the summer, dependent upon the applicants providing the required certifications:

Emily Blake	\$15.00	PT6-D (Att)
Alison Blake	\$13.50	PT5-E (Att)
Madelynne Flattery	\$13.50	PT5-E (Att)
Christina Hursa	\$15.00	PT6-D (Att)
Kelly Kubiak	\$14.00	PT6-B (LG)
Sophia Storm	\$13.50	PT5-E (Att)
Michael Schunk	\$13.50	PT5-E (Att)

**The resolution was unanimously adopted.**

**New Business #3 Appoint Part-Time Seasonal help to the Engineering Department**

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

**WHEREAS**, the Engineering Department is capable of providing inspection services internally for the Smokes Creek Farms Subdivision current anticipated workload, however, will not allow us to take on additional projects with the current staffing; and

**WHEREAS**, Daniel Hammond is a retired employee of the O.P. Engineering Department with over 30-years' experience and knows our construction standards quite well, and worked well as a construction field inspector several times with the town since then; and

**WHEREAS**, Mr. Hammond pay is at a rate of \$38.00 per hour; and

**WHEREAS**, there is presently \$957,000 in Trust Account TA0000 20095 for this work. Additional funding was collected with Smokes Creek Farms Subdivision PIP #2021-01 fees in the amount of \$50,750.

**NOW, THEREFORE be it**

**RESOLVED**, that the Town Board does hereby approve Daniel Hammond, 5843 Berg Road, Buffalo, New York 14218 to a seasonal position of construction inspector in the Engineering Department for the Smokes Creek Farms 22-Sublot Subdivision for a rate of \$38.00 per hour upon recommendation by the Town Engineer.

**The resolution was unanimously adopted.**

**New Business #4 Appoint PSD Courtney Kessel to Seasonal Status**

5) 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 move PSD Courtney Kessel from Part-time status to seasonal status effective 6/16/2021.

**The resolution was unanimously adopted.**

**New Business #5 Authorize Deputy Supervisor Liberti to sign Agreement with C & S Comp. for the Poplar Heights Subdivision Culverts Grant.**

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

**WHEREAS**, the Town of Orchard Park seeks grant funding to perform a necessary study of the Poplar Ave. 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 \$3,000.00.

**NOW, THEREFORE be it**

**RESOLVED**, that the Deputy Supervisor is hereby authorized and directed to execute all documents pertaining to the application and acquisition of said funding; and be it further

**RESOLVED**, that the Orchard Park Town Board authorizes the Deputy Supervisor to sign an agreement with C&S Companies, 141 Elm Street, Suite 100, Buffalo, New York, 14203, to provide professional services for the CFA Funding, Non-Agriculture Nonpoint Source Planning Grant, Poplar Heights Subdivision Culverts Application in an amount not to exceed \$4,435.00 as recommended by the Town Engineer.

**The resolution was unanimously adopted.**

**New Business #6 APPROVE A BLOCK PARTY PERMIT**

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

**RESOLVED**, that the Town Board does hereby approve a Block Party Permit for 38-67 South Lane Saturday July 17, 2021 from 2:00PM – 10:00PM.

**The resolution was unanimously adopted.**

**BUSINESS FROM THE FLOOR**

David Zango Spoke of a drainage issue in his subdivision, Canfield Terrace and Royalcrest.

Edward Paolini also spoke of the drainage issue in his neighborhood of Canfield Terrace.

**ELECTED OFFICIALS & DEPARTMENT MANAGERS**

Deputy Supervisor Liberti congratulated Youth Court, Natalie Nawrocki and Town Clerk Remy Orffeo. He also stated that the survey is complete and ready to be offered to the public regarding Marijuana Dispensaries and onsite consumption.

Councilmember Majchrzak asked that we opt out of allowing Marijuana Dispensaries and onsite consumption in Orchard Park until there is a five man board on January 1, 2022. He stated after we opt in we cannot opt out. Waiting until 1/1/2022 would give Orchard Park residents a better representation. He also stated that revenue from the sales cannot be directed to the Police Department, it is directed to the B fund and General Fund.

Councilmember Flynn congratulated the Youth Court graduates. He also commended Officer Razor and Officer Kowalski for their kind and professional way of handling a situation where a resident fell at a restaurant last weekend. He also asked residents to write a letter of support for the Poplar Heights Culvert Grant, a template can be found on his web page.

Town Clerk Remy Orffeo thanked the Town Board and his staff for the Proclamation in his honor.

Deputy Highway Superintendent Ernest Matthews stated he will look at the drainage issues presented by the residents at tonight's meeting.

Police Chief Wehrfritz thanked the Town Board for supporting Youth Court. He also stated the Highmark Stadium will have a 4<sup>th</sup> of July fireworks display. He also stated South Buffalo Road will be closed June 18 and 19, 2021 for bridge maintenance.

8) 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 authorize the approval of all entries on Warrant #12 following auditing by members of the Town Board and in the funds indicated:

<b>General Fund</b>	\$216,418.46
<b>Public Safety Fund</b>	\$78,552.00
<b>Part Town Fund</b>	\$1,505.64
<b>Risk Retention</b>	-0-
<b>Cemetery Fund</b>	-0-
<b>Highway Fund</b>	\$324,766.02
<b>Special Districts</b>	\$89,148.21
<b>Trust &amp; Agency</b>	\$1,095.04
<b>Capital Fund</b>	\$68,390.00

**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 receive and file the May 2021 Building Inspector's Monthly 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 8:01 pm (local time).

**Respectfully Submitted,**

**Remy C. Orffeo**  
**Town Clerk**