

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 2nd day of March 2022 at 7:03 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
Steve Bremer	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 FLYNN, TO WIT:

RESOLVED, that the Town Board does hereby approve the Regular Meeting Minutes: February 16, 2022 and Executive Session: February 16 and 23, 2022; 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 Authorize Town Clerk to release \$15,000 in escrow under PIP 2020-05 for Knoche Farms Estates Subdivision Phase 3.

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

WHEREAS, on October 27, 2021, the Town Board accepted dedication of the public improvements constructed in the Knoche Farms Estates Subdivision Phase 3; PIP #2020-05 with the stipulation that funds paid by the developer be held in escrow to install a Type C GPS monument on Sublot No. 19 for the Knoche Farms Estates Subdivision, Phase 3; and

WHEREAS, the developer has since had the above referenced work completed. The work was reviewed and approved by the Engineering Department and found to be in compliance with Town specification.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby authorize the Town Clerk to release the \$15,000 held in escrow under PIP #2020-05 to install a Type C GPS monument on Sublot No. 19 for the Knoche Farms Estates Subdivision, Phase 3 to Knoche Farms, LLC, PO Box 1275, Williamsville, New York 14231-1275 as recommended by the Town Engineer.

The resolution was unanimously adopted.

PUBLIC COMMENT ON NEW BUSINESS

No one came forward

New Business #1 Authorize the Town Supervisor to sign the 2022 Erie County STOP-DWI contract.

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

RESOLVED, that the Town Board does hereby authorize the Town Supervisor to sign the 2022 Erie County STOP-DWI contract between the Town of Orchard Park and Erie County STOP-DWI for the term of January 1, 2022 to December 31, 2022.

The resolution was unanimously adopted.

New Business #2 Accept resignation from North & South Architectural Overlay District.

4) 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 accept the resignation of Dr. Greg Bennett from the North & South Architectural Overlay District.

The resolution was unanimously adopted.

New Business #3 Appointment to North & South Architectural Overlay District

5) 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 appoint John Deluca to the North & South Architectural Overlay District with a term ending December 31, 2025.

The resolution was unanimously adopted.

New Business #4 Appointments to Conservation Board

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

RESOLVED, that the Town Board does hereby appoint Bernadette Clabeaux to the Conservation Board with a term ending December 31, 2022; and be it further

RESOLVED, that Amy Grosjean is moved from the Alternate position to a voting member of the Conservation Board with a term ending December 31, 2022.

The resolution was unanimously adopted.

New Business #5 Resignation and Appointment to the Recreation Committee

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

WHEREAS, Thomas Roward, after thirteen (13) years of service, has submitted his resignation from the Orchard Park Recreation Commission; and

WHEREAS, James Connelly has expressed an interest in serving on the Recreation Commission; and

WHEREAS, James Connelly is currently volunteering in the development of a detention pond and cul-de-sac analysis report for the Recreation Commission.

NOW, THEREFORE, be it

RESOLVED, that James Connelly is appointed to the Orchard Park Recreation Commission with a term to expire December 31, 2027.

The resolution was unanimously adopted.

New Business #6 Pay increase for Kristin Manne

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

RESOLVED, that upon the recommendation of Orchard Park Police Chief Fitzgerald, Secretary to the Police Department Kristin Mann's hourly rate is increased by \$1.00 effective February 28, 2022.

The resolution was unanimously adopted.

New Business #7 Appointment to the Highway Department

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

RESOLVED, that Charles A. Minich be hired by the Orchard Park Highway Department as a laborer at Step 1 of the Blue Collar Contract. The rate per hour is \$22.00 and is effective March 14, 2022.

The resolution was unanimously adopted.

New Business #8 Extend due date for financial disclosure statements

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

WHEREAS, Section 12-3 of the Town of Orchard Park Code requires that all elected officials, all members of certain boards and committees and all department managers file financial disclosure forms on an annual basis; and

WHEREAS, the Orchard Park Town Board recognizes the importance of these disclosures as insuring the transparent decision making process and insuring the trust in the residents of the Town of Orchard Park with their Town Government; and

WHEREAS, the original due date for the disclosure forms for 2022 was March 1, 2022; and

WHEREAS, some disclosure forms have not yet been provided as of February 28, 2022; and

WHEREAS, the Orchard Park Town Board and the Ethics Board believe that there is insufficient time for timely and accurate completion of these forms.

NOW, THEREFORE be it,

RESOLVED, that the Orchard Park Town Board does hereby agree to change the due date for the Financial Disclosure Forms in the year 2022 from March 1, 2022 to April 1, 2022.

The resolution was unanimously adopted.

New Business #9 Approve the Out-of-District Water Service Agreement

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

WHEREAS, the Engineering Department has received a request from Mrs. and Mr. Broad to be an Out-of-District customer for the Village of Orchard Park Water service; and

WHEREAS, the Engineering Department has established that the Village of Orchard Park has the only water service in the area and there is no Town service in the area available for this Town residence. Furthermore, to provide water service, the Village is extending the Village water mainline to the end of Westview Place to service and provide fire protection for the residence in question.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby approve of the request for Mrs. and Mr. Broad 19 Westview Place to be an Out-of-District customer with the Village of Orchard Park Water as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #10 IT Budget transfer

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

WHEREAS, the IT Department pays all cellular telephone bills; and

WHEREAS, The Orchard Park Police Department has requested additional cell phones for all Police Vehicles; and

WHEREAS, the funding for these adjusted appropriations is available within other appropriation accounts in the Town's 2022 budget.

NOW, THEREFORE, be it

RESOLVED that the Town Board hereby authorizes the following amendments to the 2022 budget:

Increase Appropriations:

A01680 50420	General Fund — IT — Telephone	\$3672.96
--------------	-------------------------------	-----------

Decrease Appropriations:

A09901 50902	General Fund — Transfer to PS	(\$3672.96)
--------------	-------------------------------	-------------

Decrease Revenue:

PS0000 45031	PS — Transfer from General Fund	(\$3672.96)
--------------	---------------------------------	-------------

Decrease Appropriations:

PS3120 50440	PS - Software/License/Tech Fees	(\$3672.96)
--------------	---------------------------------	-------------

The resolution was unanimously adopted.

New Business #11 Approve Jennifer Brady to attend the NYS Clerks Association annual conference

13) 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 Jennifer Brady to attend the New York State Clerk's Association annual conference from April 24, 2022 to April 27, 2022. The Town Clerk's budget has money for travel and conferences.

The resolution was unanimously adopted.

New Business #12 Refer to the Planning Board

14) 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 refer the following to the Planning Board for review & recommendation:

1. 3531 Southwestern Boulevard. V/L located on the southeast side of Southwestern Boulevard, south west of Milestrip Road, Zoned R-2. Mr. John Wabick, of West Herr Automotive Group, Inc., is requesting to rezone 8.76-Acres, from R-2 Residential, to B-2 Commercial, for the purpose of vehicle storage lot expansion. (SBL# 161.077-13.1)

The resolution was unanimously adopted.

New Business #13 Not on the agenda – Schedule a Public Hearing

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

RESOLVED, that the Town Board does hereby schedule a Public Hearing to be held at the Municipal Building, S4295 South Buffalo Street Orchard Park, New York 14127, on April 6, 2022 at 7:00 PM (local time), in the matter of a Conservation Easement Extension for Peter A. Messina Jr. & Rosemary M. Messina regarding 7370 Milestrip Road, Orchard Park, NY 14127 SBL #153.19-1-20.

The resolution was unanimously adopted.

BUSINESS FROM THE FLOOR

No one came forward

ELECTED OFFICIALS & DEPARTMENT MANAGERS

Supervisor Eugene Majchrzak spoke of the great amount of involvement Congressman Chris Jacobs had procuring \$500,000.00 in grants for the Community Activity Center.

Councilmember Joseph Liberti spoke of a Public Hearing regarding a Conservation Easement for 7370 Milestrip Road.

Highway Superintendent Andrew Slotman informed the Board of the repair work done on the Town's snow removal equipment and training offered for new equipment.

Police Chief Patrick Fitzgerald asked residents to be courteous and cautious when driving as the weather gets nicer.

16) 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 # 5 following auditing by members of the Town Board and in the funds indicated:

General Fund	\$100,326.87
Public Safety Fund	\$8,666.99
Part Town Fund	\$1,421.68
Risk Retention	-0-
Cemetery Fund	-0-
Highway Fund	\$75,431.46
Special Districts	\$219,888.48
Trust & Agency	\$6,308.31
Capital Fund	-0-

The resolution was unanimously adopted.

There being no further business, on a motion by Supervisor Majchrzak, seconded by Councilmember Flynn, the meeting adjourned at 7:18 pm (local time).

Respectfully Submitted,

**Remy C. Orffeo
Town Clerk**