

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 February 2025 at 7:05 PM, the meeting was called to order by Supervisor Eugene Majchrzak and there were:

PRESENT AT ROLL CALL:

	Eugene Majchrzak	Supervisor
Excused	Joseph Liberti	Councilmember
	Julia Mombrea	Councilmember
	Scott Honer	Councilmember
	John Mariano	Councilmember
	Remy Orffeo	Town Clerk
Present via phone	Timothy D. Gallagher	Town Attorney
	Tom Minor	Building Inspector
Excused	Patrick Fitzgerald	Chief of Police
	Chris Kuhnle	Deputy Highway Superintendent
	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 MARIANO, TO WIT:

RESOLVED, that the Town Board does hereby approve the Regular Meeting Minutes: February 5, 2025 and Special Session: February 12, 2025 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 NEW BUSINESS

No one came forward

New Business #1 Appoint Bingo Inspector.

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

RESOLVED, that the Town Board does hereby appoint Jaqueline Kaczor as the Bingo Inspector for the Town of Orchard Park for the Year 2025 with a stipend not to exceed \$1822.00 per year. This appointment begins February 20, 2025 and ends December 31, 2025.

On the question: Councilmember Mariano questioned if the Town had issued a Bingo license.
Supervisor Majchrzak stated St. John Vianney has a license.

The resolution was unanimously adopted.

New Business #2 Appoint part time Caretaker of the Community Activity Center

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

RESOLVED, that the Town Board does hereby approve the appointment of Larry Davis to the position of part time caretaker in the Maintenance Department at the Community Activity Center with a pay rate of \$17.00 per hour for 12 – 15 hours per week. This Non-Union position will begin on February 24, 2025 as recommended by the Director of Maintenance.

The resolution was unanimously adopted.

New Business #3 Approve advertisement for Bids to purchase and install a 16,000 lbs. hook lift system for the Highway Dept.

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

WHEREAS, the Town Highway Department is in need of a 16,000 lb. hook lift on provided cab and chassis and is willing to accept sealed bids for it.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby authorize the Town Highway Superintendent to advertise for bids for the “Supply and installation of a 16,000lb or equal hook and lift on provided cab and chassis” for the Highway Department to be opened at 9:15AM on March 26, 2025 in the Basement meeting room located at the Municipal Center, 4295 S. Buffalo Street, Orchard Park, NY 14127; and be it further

RESOLVED, that the Town Clerk is hereby directed to publish due notice thereof.

On the question: Supervisor Majchrzak asked Chris Kuhnle for an estimate of cost for the equipment. Chris Kuhnle responded with details.

The resolution was unanimously adopted.

New Business #4 Approve Map, Plan and Report for Water District #17-4 and approve Public Hearing

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

WHEREAS, the Town Board of the Town of Orchard Park (herein called "Town Board" and "Town" respectively), in the County of Erie, New York, wishes to move forward pursuant to Section 191 of Town Law, for the establishment and creation of Town Water District OPDD 17-4, which petition owners of taxable real property situate on the proposed new water district owning the taxable real property of the proposed new water district, as shown upon the latest completed assessment roll of said Town and was accompanied by a map plan and report prepared by the Town of Orchard Park Town Engineer, a competent engineer duly licensed by the State of New York. The water district to be constructed and paid for by Cornell Cooperative Extension Association of Erie County with their project along their frontage. With the pending agreement will also complete the remaining 340-feet, which encompasses Providence Farm's frontage to the south, to provide public water to prospective property owners within the proposed district. Infrastructure consists of the construction, installation watermain facilities in accordance with the regulations and specifications of the

ECWA / Town of Orchard Park in the proposed new Town Water District OPWD 17-4, which map and plan have been duly filed in the Office of the Town Clerk of the Town for public inspection; and

WHEREAS, said petition described the boundaries of the proposed new Town Water District OPWD 17-4 in a manner sufficient to identify the lands included therein as in a deed of conveyance and was signed by the Town Surveyor and acknowledged or proved in the same manner as a deed to be recorded; and

WHEREAS, the proposed new Town Water District OPWD 17-4 is bounded and described (Exhibit A at end of resolution) in the map, plan and report and made a part hereof; and

WHEREAS, the Town Board has given due consideration to the impact that the establishment of the new Town Water District OPWD 17-4 may have on the environment and, on the basis of such consideration, the Town Board has found that no substantial adverse environmental impact will be caused by the establishment of such new Town Water District OPWD 17-4 and

WHEREAS, the Town Board and the Town have complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act, comprising Article 8 of the Environmental Conservation Law and, in connection therewith, a duly executed Long Environmental Assessment Form has been filed in the office of the Town Clerk; and

WHEREAS, the Town Board has determined to proceed with the establishment of the proposed new Town Water District OPWD 17-4; and

WHEREAS, said new Town Water District OPWD 17-4 hereinabove described is to be constructed and paid for by Cornell Cooperative Extension Association of Erie County per agreement. The maintenance of the Water District shall be paid by the assessment, levy and collection of property taxes upon the several lots and parcels of land within the proposed Town Water District OPWD 17-4 in the same manner and at the same time as other Town charges;

NOW, THEREFORE, be it **ORDERED**, that meeting of the Town Board of the Town be held at the Orchard Park Municipal Center, S4295 South Buffalo Street, Orchard Park, New York on the **19th day of March 2025 at 7:00 p.m.** (prevailing time); to consider the establishment and creation of the new Town Water District OPWD 17-4; as herein referred to, and to hear all persons interested in the subject thereof, concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law, and be it

FURTHER ORDERED, that the Town Clerk publish as least once in the Orchard Park BEE, a newspaper published in the Town of Orchard Park, New York, which newspaper is hereby designated as the official newspaper of the Town for this publication, and post on the sign board of the Town maintained pursuant to Subdivision 6 of Section 30 of the Town Law, a copy of this Order, certified by the Town Clerk, the first publication and said posting to be not less than ten (10) nor more than twenty (20) days before the day designated herein for said public hearing as aforesaid.

Legal Description of Orchard Park Water District OPWD 17-4

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Orchard Park, County of Erie and State of New York, being part of Lot 20, Township 9, Range 7 of the Holland Land Company's Survey (so called), bounded and described as follows:

BEGINNING at the southwest corner of parcel "A" of lands conveyed to Providence Farm Collective Corporation by a deed recorded in the Erie County Clerk's Office in Liber 11417 of Deeds at Page 6997, southwest corner also being the northwest corner of lands conveyed to David C. Winter by a deed recorded in the Erie County Clerk's Office in Liber 11378 of Deeds at Page 1783, said southwest corner being 251.42 feet northerly of the southwest corner of said Lot No. 20 as measured along said west line of Lot No. 20, said southwest corner also being on the east line of Lot No. 28 of said Township 9, Range 7 of the Holland Land Company's Survey, said point also being on the east line of lands conveyed to David P. Winter by a deed recorded in the Erie County Clerk's Office in Liber 11022 of Deeds at Page 187;

THENCE northerly along the said west line of Lot No. 20, the west line of said parcel "A" of lands conveyed to Providence Farm Collective Corporation, the said east line of Lot No. 28 and the said east line of last mentioned lands conveyed to Winter, a distance of 552.03 feet more or less to an angle point in said lands conveyed to Providence Farm Collective Corporation, said angle point is also a northerly corner of last mentioned lands conveyed to Winter, said angle point is also at the most easterly southeast corner of lands of the Southern Expressway, Section II, U.S. Route 219 to Duerr Road, Erie County as appropriated by the People of the State of New York under Map No. 177 Parcel No. 191 and the most southerly corner of lands of the Southern Expressway, Section II, U.S. Route 219 to Duerr Road, Erie County as appropriated by the People of the State of New York under Map No. 176 Parcel No. 189;

THENCE northeasterly along the northwest line of said lands conveyed to Providence Farm Collective Corporation and along the southeast line of said lands appropriated by the People of the State of New York under Map No. 176 Parcel No. 189, a distance of 221.88 feet more or less to the northwest corner of said lands conveyed to Providence Farm Collective Corporation, said northwest corner is also the southwest corner of lands conveyed to Cornell Cooperative Extension Association of Erie County by a deed recorded in the Erie County Clerk's Office in Liber 11387 of Deeds at Page 6380;

THENCE continuing northeasterly along the northwest line of said lands conveyed to Cornell Cooperative Extension Association of Erie County and along the southeast line of said lands appropriated by the People of the State of New York under Map No. 176 Parcel No. 189, a distance of 1443.55 feet more or less to the northwest corner of said lands conveyed to Cornell Cooperative Extension Association of Erie County, said northwest corner being on a south line of lands described for the establishment of Water District No. 17 in the Town of Orchard Park, County of Erie, State of New York by a deed recorded in the Erie County Clerk's Office in Liber 7520 of Deeds at Page 481 (said south line also formerly the south line of lands conveyed to Frank H. Szeliga and Dawn C. Szeliga), said northwest corner is also the northeast corner of said lands appropriated by the People of the State of New York under Map No. 176 Parcel No. 189, said northwest corner is also the southwest corner of lands of the Southern Expressway, Section II, U.S. Route 219 to Duerr Road, Erie County as appropriated by the People of the State of New York under Map No. 181 Parcel No. 249, said northwest corner is also the southeast corner of lands of the Southern Expressway, Section II, U.S. Route 219 to Duerr Road, Erie County as appropriated by the People of the State of New York under Map No. 181 Parcel No. 197;

THENCE easterly along the north line of said lands conveyed to Cornell Cooperative Extension Association of Erie County, along the said south line of lands described for the establishment of Water District No. 17 in the Town of Orchard Park and along the south line of said lands

appropriated by the People of the State of New York under Map No. 181 Parcel No. 249 (formerly the south line of lands conveyed to Frank H. Szeliga and Dawn C. Szeliga), a distance of 100.1 feet more or less to the northwest corner of lands conveyed to the Southern Expressway, Section II, U.S. Route 219 to Duerr Road, Erie County as appropriated by the People of the State of New York under Map No. 176 Parcel No. 183;

THENCE continuing easterly along the easterly extension of the north line of said lands conveyed to Cornell Cooperative Extension Association of Erie County, along the north line of said lands appropriated by the People of the State of New York under Map No. 176 Parcel No. 183 and along the said south line of lands described for the establishment of Water District No. 17 in the Town of Orchard Park (formerly the south line of lands conveyed to Frank H. Szeliga and Dawn C. Szeliga) and along the said south line of lands appropriated by the People of the State of New York under Map No. 181 Parcel No. 249, a distance of 37.0 feet more or less to a point on the west line of Burton Road, said point being the northeast corner of said lands appropriated by the People of the State of New York under Map No. 176 Parcel No. 183, said point being the southeast corner of said lands appropriated by the People of the State of New York under Map No. 181 Parcel No. 249;

THENCE continuing easterly along the easterly extension of the north line of said lands conveyed to Cornell Cooperative Extension Association of Erie County and along the said south line of lands described for the establishment of Water District No. 17 in the Town of Orchard Park (formerly the south line of lands conveyed to Frank H. Szeliga and Dawn C. Szeliga), a distance of 33 feet more or less to a point on the centerline of Burton Road, said point being the southeast corner of said lands of Szeliga, said point being an angle point in the lands described for the establishment of Water District No. 17 in the Town of Orchard Park;

THENCE southerly along the said centerline of Burton Road and a west line of the said lands described for the establishment of Water District No. 17 in the Town of Orchard Park to a southwest corner of the said lands described for the establishment of Water District No. 17 in the Town of Orchard Park, said southwest corner being 233.0 feet south of the centerline of Powers Road as measured at right angles to Powers Road;

THENCE southeasterly parallel with and 233.0 feet southerly of the said centerline of Powers Road through the lands conveyed by parcel "B" of said lands conveyed to Providence Farm Collective Corporation by said deed recorded in the Erie County Clerk's Office in Liber 11417 of Deeds at Page 6997 and along a south line of the said lands described for the establishment of Water District No. 17 in the Town of Orchard Park, a distance of 523.63 feet more or less to a point on an east line of said Parcel "B", said point also being on the west line of lands conveyed to Scott A. Tanner and Joanne M. Tanner by a deed recorded in the Erie County Clerk's Office in Liber 11422 of Deeds at Page 1376, said point also being on the west line of subplot No. 3 as shown on a map entitled Winters Subdivision filed in the Erie County Clerk's Office under Map Cover 2333;

THENCE southerly, leaving the said south line of the lands described for the establishment of Water District No. 17 in the Town of Orchard Park, along a said east line of Parcel "B", along the said west line of lands conveyed to Tanner and along the said west line of subplot No. 3 to a corner of said lands of

Parcel "B", said corner being the southwest corner of said lands of Tanner, said corner also being the southwest corner of said subplot No. 3;

THENCE southeasterly along a north line of said lands of Parcel "B", along the south line of said lands conveyed to Tanner and along the south line of said subplot No. 3, a distance of 150.0 feet to an angle point of said lands of Parcel "B" at the southeast corner of said lands conveyed to Tanner, said angle point being the southeast corner of said subplot No. 3, said angle point also being the southwest corner of lands conveyed to Debora R. Dombrowski and Robert W. Dombrowski Jr., Co-trustees of the June M. Dombrowski 2024 Trust Dated July 15, 2024 by a deed recorded in the Erie County Clerk's Office in Liber 11434 of Deeds at Page 2508;

THENCE northeasterly along a north line of said lands of Parcel "B", along the south line of said lands conveyed to the Dombrowski 2024 Trust, a distance of 146.86 feet to an angle point, said angle point being the southeast corner of said lands conveyed to the Dombrowski 2024 Trust;

THENCE northerly along the east line of said lands conveyed to the Dombrowski 2024 Trust and along a west line of lands formerly owned by Gilbert G. Winter and Marjory Winter, his wife, and George M. Winter by a deed recorded in the Erie County Clerk's Office in Liber 5362 of Deeds at Page 313 and later corrected by a deed recorded in the Erie County Clerk's Office in Liber 5627 of Deeds at Page 440, a distance of 49 feet more or less to the southwest corner of lands conveyed to Linda D. Stanchak by a deed recorded in the Erie County Clerk's Office in Liber 11150 of Deeds at Page 4959;

THENCE southeasterly along the south line of said lands conveyed to Stanchak and along the latter mentioned lands formerly conveyed to Winter, a distance of 150 feet to the southeast corner of said lands conveyed to Stanchak, said southeast corner being 283 feet south of the centerline of Powers Road, as measured from the northeast corner and along the east line of said lands conveyed to Tanner, said southeast corner also being 283 feet south of the centerline of Powers Road, as measured from the northeast corner and along the east line of latter mentioned lands conveyed to Winter, said southeast corner also being the northeast corner of said lands conveyed by parcel "B" of the lands conveyed to Providence Farm Collective Corporation, said southeast corner also being a point on the west line of lands conveyed to Louis J. Panepento and Cheryl J. Olivieri, husband and wife, by a deed recorded in the Erie County Clerk's Office in Liber 11109 of Deeds at Page 989, said west line of lands of Panepento being the west line of subplot No. 1 as shown on a map entitled Subdivision Map of Pouthier Estate filed in the Erie County Clerk's Office under Map Cover 2958;

THENCE southerly along the east line of said lands of Parcel "B" and along the said west line of lands conveyed to Panepento and along the west line of said subplot No. 1 of Map Cover 2958, a distance of 898.49 feet to the southeast corner of said lands of Parcel "B", said southeast corner also being the northeast corner of lands conveyed to Sandra Lee Winter by a deed recorded in the Erie County Clerk's Office in Liber 11237 of Deeds at Page 1328;

THENCE southwesterly along a south line of said lands of Parcel "B" and along a north line of latter mentioned lands conveyed to Winter, a distance of 665.73 feet to an angle point;

THENCE continuing southwesterly along a south line of said lands of Parcel "B" and along a said north line of latter mentioned lands conveyed to Winter, a distance of 336.61 feet to the centerline of Burton Road;

THENCE southerly along the centerline of Burton Road, a distance of 208.92 feet more or less, as measured along the centerline of Burton Road, to the southeast corner of the first mentioned parcel "A" of lands conveyed to Providence Farm Collective Corporation by said deed recorded in the Erie County Clerk's Office in Liber 11417 of Deeds at Page 6997, said southeast corner now also being the northeast corner of the remaining lands conveyed to David C. Winter by said deed recorded in the Erie County Clerk's Office in Liber 11378 of Deeds at Page 1783;

THENCE westerly, southwesterly and southerly along the south, southeast and east lines of said parcel "A" of lands conveyed to Providence Farm Collective Corporation by said deed recorded in the Erie County Clerk's Office in Liber 11417 of Deeds at Page 6997 and the north, northwest and west lines of the remaining lands of latter mentioned lands of David C. Winter the following six courses:

1. THENCE westerly at right angles with said centerline, a distance of 102.14 feet to an angle point,
2. THENCE westerly at an interior angle of 198°12'50", a distance of 63.25 feet to an angle point,
3. THENCE southwesterly at an interior angle of 200°00'50", a distance of 130.12 feet to an angle point,
4. THENCE continuing southwesterly at an interior angle of 199°05'45", a distance of 111.88 feet to an angle point,
5. THENCE southerly at an interior angle of 208°28'35", a distance of 60.0 feet to an angle point,
6. THENCE westerly at an interior angle of 90°00', a distance of 686.63 feet to the POINT OR PLACE OF BEGINNING.

The resolution was unanimously adopted.

New Business #5 Refer to the Planning, Conservation and AOD Boards.

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

1. 2784 Southwestern Blvd., located on the northwest corner of Southwestern Blvd. and Reserve Rd., Zoned B-2. Ms. Amy Kotarski is proposing converting an existing duplex into a medical private practice, and constructing an addition for an entry/ vestibule, and 24 parking spaces. (SBL# 153.06-1-22)
2. 3385 Orchard Park Rd., located on the east side of Orchard Park Rd., south of Southwestern Blvd., Zoned B-2. Ms. Jessica Radon is proposing a parking expansion with a net increase of 19 parking spaces for a total of 78 parking spaces. The project parcel is located within the Architectural Overlay District, and will require a Variance from the Zoning Board of Appeals. (SBL# 152.20-4-1)
3. 5345 Murphy Rd., located on the east side of Murphy Rd., Zoned SR. Natale Development is proposing the demolition of the existing buildings and the construction of four, 2 story Senior Apartment Buildings with 50 to 51 units each, for a total of 202 (senior) apartments, with associated Site improvements. (SBL# 184.07-1-1.112)

The resolution was unanimously adopted.

BUSINESS FROM THE FLOOR

Rosalind Wiltse inquired about drawings of CMO parts 4 & 5 of the Birdsong Community offered at the Planning Board meeting that took place on February 16, 2025.

ELECTED OFFICIALS & DEPARTMENT MANAGERS

Councilmember Julia Mombrea thanked the Tax office and Highway employees for their hard work. She also stated the Orchard Park Library will be holding a book sale on May 2, 3 & 4, 2025.

Councilmember Scott Honer spoke of reviewing the lighting of the Orchard Park Library parking lot. He also thanked the Tax office and Highway employees for their hard work. He also addressed the problems of snowplowing cul-de-sacs.

Councilmember John Mariano thanked the Tax office and Highway employees for their hard work.

Town Clerk Remy Orffeo thanked Michelle Faust for her assistance with the grants and submission package regarding the Town being designated as a Tree City for the 3rd year. He also thanked his staff for another great tax season.

Building Inspector Tom Minor responded to Ms. Wiltse and stated the Town has had no recommendation regarding her questions.

Deputy Highway Superintendent Chris Kuhnle thanked Highway workers for their hard work during this holiday weekend and poor weather.

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

RESOLVED, that the Town Board does hereby authorize the approval of all entries on Warrant #3 following auditing by members of the Town Board and in the funds indicated:

General Fund	\$67,434.75
Public Safety Fund	\$8,750.92
Part Town Fund	\$1,780.84
Risk Retention	-0-
Cemetery Fund	-0-
Highway Fund	\$75,239.79
Special Districts	\$696,313.91
Trust & Agency	\$5,158.47
Capital Fund	\$61,072.16

The resolution was unanimously adopted.

COMMUNICATIONS

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

RESOLVED, that the Town Board does hereby receive and file: A Letter from the Birdsong Estates Homeowners Association Board regarding the proposed rezoning of Phase 4 & 5 Birdsong Development Plan.

The resolution was unanimously adopted.

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

RESOLVED, that the Town Board does hereby receive and file: the notification of an Open House Meeting regarding the Stadium Area Comprehensive Development Study on February 27, 2025 from 4:30pm-7:30pm at the Community Activity Center.

The resolution was unanimously adopted.

REPORTS

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

RESOLVED, that the Town Board does hereby receive and file the January 2025 Building Inspector's Monthly Report.

The resolution was unanimously adopted.

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

RESOLVED, that the Town Board did not receive a report for the Steering Committee for the Stadium Re-Zoning Project.

The resolution was unanimously adopted.

There being no further business, on a motion by Supervisor Majchrzak, seconded by Councilmember Mombrea, the meeting adjourned at 7:21 pm (local time).

Respectfully Submitted,

**Remy C. Orffeo
Town Clerk**