

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 5th day of March 2025 at 7:08 PM, the meeting was called to order by Supervisor Eugene Majchrzak and there were:

PRESENT AT ROLL CALL:

Eugene Majchrzak	Supervisor
Joseph Liberti	Councilmember
Julia Mombrea	Councilmember
Scott Honer	Councilmember
John Mariano	Councilmember
Remy Orffeo	Town Clerk
Timothy D. Gallagher	Town Attorney
Tom Minor	Building Inspector
Patrick Fitzgerald	Chief of Police
Andrew Slotman	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 LIBERTI, TO WIT:

RESOLVED, that the Town Board does hereby approve the Regular Meeting Minutes: February 19, 2025 and Special Session: February 26, 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 OLD BUSINESS

No one came forward

Old Business #1 Approve the rezoning of 2 parcels located in the Krog Industrial Center (SBL#161.18-2-2 & 161.18-2-1) from I-1 & R-3 to entirely I-1 Industrial.

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

WHEREAS, following due and timely notice a Public Hearing relating to the matter of an amendment to the Zoning Ordinance of the Town of Orchard Park, was conducted at the Municipal Center on February 5, 2025 at which time all interested parties were given an opportunity to be heard, which amendment provides as follows:

WHEREAS, the Town Board tabled Eaton Mission System’s request to rezone two parcels (SBL #161.18-2-2 & 161.18-2-1) located at 10 Cobham Drive, in the Krog Industrial Center from R-3 & I-1 to entirely I-1 Industrial on February 5, 2024; and

WHEREAS, the Planning Board made a recommendation at their January 9, 2025 meeting to approve the request to rezone the 2-parcels, (SBL #161.18-2-2 & 161.18-2-1) totaling 6.65 +/- Acres V/L from R-3 & I-

1 to entirely I-1 Industrial, to allow expansion of assembly and warehousing operations at the Mission Systems Facility addition, based on the following conditions and stipulations:

1. All public notices have been filed.
2. Fees shall be paid in accordance with Section 144-70C, of the Town Code prior to publication of the Public Hearing Notice.
3. The recommendation is contingent upon the applicant completing the project as proposed on the preliminary development plans, and shall revert to its original Zoning Classification if the project is not completed per Section 144-67 of the Town Code.
4. Access to the parking area shall be through Cobham Drive and California Road.
5. The screening of trees and shrubs from the driveway of the property will remain intact from California Rd. to the structure.

NOW, THEREFORE be it

RESOLVED, and Ordained, that the Zoning Ordinance and Zoning map of the Town of Orchard Park be and are amended by rezoning SBL #'s 161.18-2-2 & 161.18-2-1, totaling 6.65 +/- Acres of V/L located at 10 Cobham Drive, in the Krog Industrial Center (previously known as "Carlton Controls") from R-3 & I-1 to entirely I-1 Industrial, to allow expansion of assembly and warehousing operations at the Mission Systems Facility addition as follows:

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 Township 9, Range 7 of the Holland Land Company's Survey and bounded and described as follows:

BEGINNING at a point in the center line of California Road where said center line intersects with the northerly line of Great Lot Number 31; running thence northerly along the center line of California Road a distance of 66 feet to the point of intersection of the center line of California Road with the southerly line of Great Lot Number 32; running thence easterly along the southerly line of Great Lot Number 32 a distance of 728.40 feet by deed, 728.00 feet by measure to an existing Iron Pin; running then southerly along a line drawn parallel with the center line of California Road by deed, a distance of 66 feet to a point on the northerly line of Great Lot Number 31; running thence westerly along the northerly line of Great Lot Number 31 a distance of 728.40 feet by deed, 726.52 feet by measure to the place or point of beginning.

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Orchard Park, County of Erie and State of New York and being part of Lot Number 31, Township 9, Range 7 of the Holland Land Company's Survey and bounded and described as follows:

BEGINNING at a point in the center line of California Road, where the same intersects the northerly line of said Lot Number 31, said northerly line of Lot Number 31 also being the south line of former Big Tree Road; running thence easterly along the northerly line of said Lot Number 31, and the southerly line of former Big Tree Road a distance of 728.4 by deed, 726.52 feet by measure to the west line of lands conveyed to Elias Hoag by deed filed in the Erie County Clerk's Office in Liber 112 of deeds at page 437; Thence southerly, along said west line of Elias Hoag a distance of 422.40 feet by deed, 356.40 feet as measured to the south east corner of lands conveyed to George Oakes and Norman W. Oaks by deed filed in the Erie County Clerk's Office in Liber 640 of deeds at page 633; Thence westerly, along the south line of said Oaks a distance of 720.72 feet by deed, 718.32 feet by measure to the centerline of California Road; Thence northerly, along the centerline of California Road a distance of 422.40 feet by deed, 356.40 feet by measure to the POINT OR PLACE OF BEGINNING.

RESOLVED, under the authority of the Town of Orchard Park Ordinances Sections 144-66 through 144-69, be it further

RESOLVED, this ordinance shall take effect ten (10) days after publication and posting in accordance with law, and be it further

RESOLVED, that the Town Clerk publish and post a copy of said amendment in accordance with §264 and §265 of Town Law.

The resolution was unanimously adopted.

PUBLIC COMMENT ON NEW BUSINESS

No one came forward

New Business #1 Approve the change of status for the Zoning Clerk in the Building Inspector's Office.

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

WHEREAS, the Town of Orchard Park Building Department currently needs a seasonal part-time clerk; and

WHEREAS, there are funds in the 2025 budget to fund a seasonal part time clerk; and

WHEREAS, Marla Fulton has been serving as a part time clerk in the Town of Orchard Park Building Department; and

WHEREAS, Marla Fulton exhibits the skills, ambition and experience to increase her hours to fulfill this position; and

WHEREAS, Tom Minor, Town of Orchard Park Building Inspector, has determined that Marla Fulton is ready and able to serve as a seasonal part time clerk in the Town of Orchard Park Building Department.

NOW, THEREFORE be it

RESOLVED, that on the recommendation of Tom Minor, Town of Orchard Park Building Inspector, Marla Fulton is appointed as a part time Seasonal Employee in the Town of Orchard Park Building Department to perform duties of a clerk for a maximum of 39.5 hours per week, at a rate of \$ 20.84 per hour effective March 6, 2025.

The resolution was unanimously adopted.

New Business #2 Approve the appointment of a Public Safety Dispatcher.

4) 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 appoint Tanteyana Williams to the position of Public Safety Dispatcher, to be effective March 22, 2025, CSEA pay range 9 Step "First Year", as recommended by the Chief of Police.

The resolution was unanimously adopted.

New Business #3 Approve the promotion of Ryan Marino to Truck Driver.

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

WHEREAS, the Orchard Park Highway Department has a vacant Truck Driver position; and

WHEREAS, there are funds in the 2025 budget to fund a Truck Driver position; and

WHEREAS, Andrew Slotman, Orchard Park Highway Superintendent, has determined that Ryan Marino is ready and able to serve as a Truck Driver in the Orchard Park Highway Department.

NOW, THEREFORE be it

RESOLVED, that based on the recommendation of Andrew Slotman, Orchard Park Highway Superintendent, Ryan Marino is promoted to a Truck Driver in the Orchard Park Highway Department at Job Level 2 Step 1 of the Blue Collar Contract at a rate of \$25.02 per hour effective March 1, 2025.

The resolution was unanimously adopted.

New Business #4 Approve the promotion of Mike Hosie to Truck Driver.

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

WHEREAS, the Orchard Park Highway Department has a vacant Truck Driver position; and

WHEREAS, there are funds in the 2025 budget to fund a Truck Driver position; and

WHEREAS, Andrew Slotman, Orchard Park Highway Superintendent, has determined that Mike Hosie is ready and able to serve as a Truck Driver in the Orchard Park Highway Department.

NOW, THEREFORE be it

RESOLVED, that based on the recommendation of Andrew Slotman, Orchard Park Highway Superintendent, Mike Hosie is promoted to a Truck Driver in the Orchard Park Highway Department at Job Level 2 Step 1 of the Blue Collar Contract at a rate of \$25.02 per hour effective March 1, 2025.

The resolution was unanimously adopted.

New Business #5 Approve the Chase the Sun 5K.

7) 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 approve the Special Event Permit request for the Chase the Sun 5K to be held on Friday June 20, 2025 from 5:30PM – 10:30PM pending payment of all fees. The Certificate of Liability is on file in the Town Clerk's Office.

The resolution was unanimously adopted.

New Business #6 Approve the O'Fathey 5K.

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

RESOLVED, that the Town Board does hereby approve the Special Event Permit request for the O'Fathey 5K to be held on Saturday March 15, 2025 from 9AM – 10AM. The Certificate of Liability is on file in the Town Clerk's Office and all fees have been paid.

The resolution was unanimously adopted.

New Business #7 Approve the Community Easter Egg Hunt.

9) 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 Special Event Permit request for the Orchard Park Wesleyan Church's Community Easter Egg Hunt to be held on Saturday April 12, 2025 from 10AM – 12PM in the Outfield of the Baseball Diamond in Yates Park. Certificate of Liability is on file in the Town Clerk's Office and all fees have been paid.

The resolution was unanimously adopted.

New Business #8 Approve the Budget Transfer for Brush Pick-Up.

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

WHEREAS, the Town would like to adjust the 2025 adopted budget to code non-contractual labor costs related to brush pickup in the correct line.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorize the following transfer within the Town's 2025 budget:

General Fund Transfer:

Decrease:

SR8160 50405	Contracted Brush Pick up	\$ 150,000
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Increase:

SR8161 50103	Labor	\$ 150,000
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The resolution was unanimously adopted.

New Business #9 Approve advertisement for an Open House regarding the Pedestrian Walkability Construction of Sidewalks and Crosswalks to Improve Safe Routes to Schools Project.

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

WHEREAS, the Town and its consultant LaBella Associates, DPC, have been working to complete the design of the Orchard Park Pedestrian Walkability Construction of Sidewalks and Crosswalks to improve Safe Routes to School project; and

WHEREAS, the project consists of the installation of approximately 10,000 linear feet of sidewalk including ADA compliant ramps around Eggert Elementary, Windom Elementary and the Orchard Park High School.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby approve the advertisement of the open house for the community to learn about the project. The open house will be held at the Orchard Park Community Activity Center on April 24th, 2025, from 4:00PM to 7:00PM. All residents are encouraged to attend and meet with LaBella Associates, DPC and learn more about the project.

The resolution was unanimously adopted.

New Business #10 Refer to the Planning Board.

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

- 3892 Southwestern Boulevard, located on the north-west side of Southwestern Blvd., west of Abbott Road, Zoned DR-2. Jack Kuebler, of Homedog LLC, is seeking permission for an Outside Display of 12 sheds. (SBL # 161.09-4-25)

The resolution was unanimously adopted.

New Business #11 Approve reappointment to the Board of Assessment Review.

13) 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 reappoint Michelle Bouton of Orchard Park to the Orchard Park Board of Assessment Review, with the term to expire September 30, 2029.

The resolution was unanimously adopted.

BUSINESS FROM THE FLOOR

No one came forward

ELECTED OFFICIALS & DEPARTMENT MANAGERS

Supervisor Eugene Majchrzak informed residents that a second Public Forum regarding the Stadium Comprehensive Study will most likely take place in May.

Councilmember Joseph Liberti welcomed Tanteyana Williams and congratulated Marla Fulton, Ryan Marino and Mike Hosie. He also informed residents that there will be another Open House regarding the Stadium Comprehensive Study (exact date to be determined).

Councilmember Julia Mombrea thanked Marla Fulton, welcomed Tanteyana Williams, and congratulated Ryan Marino and Mike Hosie. She also informed residents that there will be an American Red Cross Blood Drive at the Orchard Park Community Activity Center on Wednesday, March 12th from 2:00PM-7:00PM.

Councilmember Scott Honer welcomed Tanteyana Williams and congratulated Marla Fulton, Ryan Marino and Mike Hosie.

Councilmember John Mariano congratulated Marla Fulton, Ryan Marino and Mike Hosie. He also welcomed Tanteyana Williams. He also informed residents that there will be a second Open House meeting for the Stadium Comprehensive Study (exact date to be determined).

Town Clerk Remy Orffeo congratulated Michelle Bouton on her reappointment to the Board of Assessment Review. He also spoke of the need for two more members to the Board of Assessment Review. The five member Board of Assessment Review currently has only three members.

Building Inspector Tom Minor congratulated Ryan Marino and Mike Hosie on their promotions and welcomed Tanteyana Williams.

Highway Superintendent Andrew Slotman welcomed Tanteyana Williams. He also congratulated Ryan Marino and Mike Hosie on their promotions.

Police Chief Patrick Fitzgerald recognized Officers Alec Roberts (South Davis Elementary SRO) and Chris Barnard (Windom Elementary SRO) for their graduation from DARE Officer training. Officer Barnard was selected as the recipient of the NYS award for top student. All Orchard Park Elementary and Middle School SROs are now certified DARE Officers. He also congratulated Ryan Marino, Mike Hosie and welcomed Tantezana Williams.

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

RESOLVED, that the Town Board does hereby authorize the approval of all entries on Warrant #4 following auditing by members of the Town Board and in the funds indicated:

General Fund	\$55,374.26
Public Safety Fund	\$75,301.58
Part Town Fund	\$1,370.91
Risk Retention	-0-
Cemetery Fund	-0-
Highway Fund	\$215,674.10
Special Districts	\$5,866.42
Trust & Agency	\$15,705.18
Capital Fund	\$233,744.35

The resolution was unanimously adopted.

COMMUNICATIONS

15) 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 receive and file: comments made by Mark Lester regarding potential rezoning and land use around the stadium.

The resolution was unanimously adopted.

REPORTS

16) 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 report from the February 2025 meeting of the Steering Committee for the Stadium Re-Zoning Project.

The resolution was unanimously adopted.

There being no further business, on a motion by Supervisor Majchszak, seconded by Councilmember Liberti, the meeting adjourned at 7:34 pm (local time).

Respectfully Submitted,

**Remy C. Orffeo
Town Clerk**