

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 17th day of August 2022 at 7:08 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
(absent) 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 LIBERTI, TO WIT:

RESOLVED, that the Town Board does hereby approve the Regular Meeting Minutes: August 3, 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.

***** PROCLAMATION *****

Erie County Legislator, John Mills presented DARE Officer Kristin Mazur and School Resource Officers Courtney Mackey, Robert Simons II and John Starr with a proclamation of recognition honoring their exemplary service.

PUBLIC COMMENT ON OLD BUSINESS

Clint Fingerlow spoke against rezoning 5933 Big Tree Rd. He was concerned that any additions, renaming or changing owners would stop their ability to operate as a church.

Old Business #1 Approve the rezoning of SBL #161.00-3-26 V/L Taylor Rd.

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

WHEREAS, the following property located in the Town of Orchard Park, locally known as SBL #161.00-3-26 V/L Taylor Road and is presently zoned R-3 Residential; and

WHEREAS, the Town of Orchard Park has determined that it would be in the best interest of the community at large for said property to be rezoned Development and Research (DR); and

WHEREAS, the rezoning is supported by the Orchard Park Economic Development Committee, and

WHEREAS, the owner of said property is purported to be LeBex Holdings; and

WHEREAS, a metes and bounds description is 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 Lot Number 24, Township 9, Range 7 of the Holland Land Company's Survey bounded and described as follows:

BEGINNING at a point of intersection of the north line of lands conveyed to Samuel E. Miserandino, John A. Krull and Paul A. Foley by deed recorded in the Erie County Clerk's Office in liber 7863 of Deeds page 47 with the east line of U.S. Route 219, as appropriated by Notice of Appropriation recorded in said Clerk's Office in liber 7420 of Deeds page 546, being Map No. 27, Parcel No. 53; running thence N 89° 35' 29" E along the north line of lands conveyed aforesaid by deed recorded in said Clerk's Office in liber 7863 of Deeds page 47, 740.53 feet; thence S 16° 55' 12" E, 548.74 feet; running thence S 73° 04' 48" W, 300 feet; running thence S 16° 55' 12" E, 355.94 feet to the northeast corner of lands conveyed to Paul H. and Sharon L. Boddin his wife by deed recorded in said Clerk's Office in liber 8820 of Deeds page 448; running thence southwesterly along the north line of deed recorded in said Clerk's Office in liber 8820 of Deeds page 448, 435.60 feet to the northwest corner of lands conveyed aforesaid by deed recorded in said Clerk's Office in liber 8820 of Deeds page 448; running thence northwesterly 90.62 feet to a point in the east line of U.S. Route 219; running thence N 10° 52' 36" W along U.S. Route 219, 278.16 feet to a point, continuing along U.S. Route 219 N 16° 55' 12" W, 902.20 feet to the principal point or place of beginning; and

WHEREAS, this is an Unlisted SEQR action based on the submitted Short EAF, Parts One and Two and a negative declaration is declared, and

WHEREAS, the present use of the property is R-3 and could be used for Two Family Homes, Tourist Homes and Multiple Dwellings (a complete list is available in the Town Clerk's office) and in rezoned DR state the property could be used for Business and Professional offices, Warehousing and distribution (a complete list is available in the Town Clerk's office); and

WHEREAS, the Town Comprehensive Plan as originally adopted on September 19, 2007 (and with subsequent revisions) has a goal to "Encourage the expansion of business and industrial uses such as research and development, light manufacturing, and other non-polluting industries in locations proximate to necessary transportation, water, and sewer infrastructure." and to "Buffer new commercial and industrial land uses from residential areas with proper landscaping and screening.", and

WHEREAS, the Town of Orchard Park, with less than 5% of its land mass zoned Industrial/Research and Development, is under served in the amount of currently Zoned Industrial/Research and Development land, and

WHEREAS, the Town Board has the authority to require additional permanent screening between an “R-3” zone and a “D-R” zone; and

WHEREAS, the Town Board approves the stipulation that the rear yard setback for the rezoned SBL #161.00-3-26 (V/L Taylor Road) be sixty (60) feet; and

NOW THEREFORE, under the authority of the Town of Orchard Park Ordinances Sections 144-66 through 144-69, **be it**

RESOLVED, that SBL #161.00-3-26 (V/L Taylor Road) is rezoned from R-3 to D-R with the stipulation that the rear setback is sixty (60) feet, and be it further

RESOLVED, based on the recommendations of the Conservation and Planning Boards, the amount of buffering, the species of trees and/or shrubs and the size of the trees and/or shrubs shall be determined by the Town Board.

Roll call vote:

Supervisor Majchrzak	Aye
Councilmember Flynn	Nay
Councilmember Liberti	Aye
Councilmember Honer	Aye

The resolution has passed.

Old Business # 2 Approve the rezoning of SBL #161.19-2-1 V/L Taylor Rd.

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

WHEREAS, the following property located in the Town of Orchard Park, locally known as SBL #161.19-2-1 V/L Taylor Road and is presently zoned R-3 Residential; and

WHEREAS, the Town of Orchard Park has determined that it would be in the best interest of the community at large for said property to be rezoned Development and Research (DR); and

WHEREAS, the rezoning is supported by the Orchard Park Economic Development Committee, and

WHEREAS, the owner of said property is purported to be Pleasant Acres West; and

WHEREAS, a metes and bounds description is 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 Lot Number 24, Township 9, Range 7 of the Holland Land Company’s Survey bounded and described as follows:

BEGINNING at a point in the northeasterly line of Taylor Road at its intersection with the northwest corner of lands conveyed to Balbina Witka Karalus by deed recorded in Erie County Clerk’s office in Liber 5332 of Deeds at page 69; running thence northeasterly at right angles and along the northwesterly line of said Balbina Witka Karalus’ northwesterly line and said line extended, 435.6 feet; thence northwesterly parallel with the north of Taylor Road, 300 feet; thence southwesterly parallel with the first described line, 435.6 feet to the northeasterly line of Taylor Road; thence southeasterly along the north line of Taylor Road 300 feet to the place of beginning, and

WHEREAS, this is an Unlisted SEQR action based on the submitted Short EAF, Parts One and Two and a negative declaration is declared, and

WHEREAS, the present use of the property is R-3 and could be used for Two Family Homes, Tourist Homes and Multiple Dwellings (a complete list is available in the Town Clerk's office) and in rezoned DR state the property could be used for Business and Professional offices, Warehousing and distribution (a complete list is available in the Town Clerk's office); and

WHEREAS, the Town Comprehensive Plan as originally adopted on September 19, 2007 (and with subsequent revisions) has a goal to “Encourage the expansion of business and industrial uses such as research and development, light manufacturing, and other non-polluting industries in locations proximate to necessary transportation, water, and sewer infrastructure.” and to “Buffer new commercial and industrial land uses from residential areas with proper landscaping and screening.”, and

WHEREAS, the Town of Orchard Park, with less than 5% of its land mass zoned Industrial/Research and Development, is under served in the amount of currently Zoned Industrial/Research and Development land, and

WHEREAS, the Town Board has the authority to require additional permanent screening between an “R-3” zone and a “D-R” zone; and

WHEREAS, the Town Board approves the stipulation that the rear yard setback for the rezoned SBL #161.19-2-1 (V/L Taylor Road) be sixty (60) feet; and

NOW THEREFORE, under the authority of the Town of Orchard Park Ordinances Sections 144-66 through 144-69, **be it**

RESOLVED, that SBL #161.19-2-1 (V/L Taylor Road) is rezoned from R-3 to D-R with the stipulation that the rear setback is sixty (60) feet, and be it further

RESOLVED, based on the recommendations of the Conservation and Planning Boards, the amount of buffering, the species of trees and/or shrubs and the size of the trees and/or shrubs shall be determined by the Town Board.

Roll call vote:

Supervisor Majchrzak	Aye
Councilmember Flynn	Nay
Councilmember Liberti	Aye
Councilmember Honer	Aye

The resolution has passed.

Old Business #3 Approve the rezoning of SBL #172.07-1-7 5933 Big Tree Rd.

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

WHEREAS, the following property located in the Town of Orchard Park, locally known as SBL #172.07-1-7 5933 Big Tree Road and is presently zoned R-3 Residential; and

WHEREAS, the Town of Orchard Park has determined that it would be in the best interest of the community at large for said property to be rezoned Development and Research (DR); and

WHEREAS, the rezoning is supported by the Orchard Park Economic Development Committee, and

WHEREAS, the owner of said property is purported to be First Baptist Church; and

WHEREAS, a metes and bounds description is 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 Lot Number 23, Township 9, Range 7 of the Holland Land Company's Survey bounded and described as follows:

BEGINNING at a point in the center line of Big Tree Road as same is laid out and constituted as a 66 foot wide road, which point is 274.73 feet west of the east line of lands conveyed to Joe Copli by deed recorded in Erie County Clerk's Office in Liber 1401 of Deeds at page 228 and running thence southerly on a line drawn at right angles to the center line of Big Tree Road 435.6 feet; thence westerly and parallel with the center line of Big Tree Road 300 feet; thence northerly along a line drawn at right angles to the center line of Big Tree Road, 435.6 feet to the center line of Big Tree Road; thence easterly along the center line of Big Tree Road, 300 feet to the point or place of beginning.

EXCEPTING AND RESERVING from the above described premises the southerly 1/2 of Big Tree Road lying within the bounds of said description and excepting also that portion of said premises conveyed to the State of New York by two deeds recorded in Liber 4272 of deeds at pages 364 and 390, which portion consists of a strip of land approximately 12 feet in width situate on the south side of Big Tree Road.

This conveyance is made pursuant to section 140 of the Religious Corporations Law of the State of New York, and

WHEREAS, this is an Unlisted SEQR action based on the submitted Short EAF, Parts One and Two and a negative declaration is declared, and

WHEREAS, the present use of the property is R-3 and could be used for Two Family Homes, Tourist Homes and Multiple Dwellings (a complete list is available in the Town Clerk's office) and in rezoned DR state the property could be used for Business and Professional offices, Warehousing and distribution (a complete list is available in the Town Clerk's office); and

WHEREAS, the Town Comprehensive Plan as originally adopted on September 19, 2007 (and with subsequent revisions) has a goal to "Encourage the expansion of business and industrial uses such as research and development, light manufacturing, and other non-polluting industries in locations proximate to necessary transportation, water, and sewer infrastructure.", and

WHEREAS, the Town of Orchard Park, with less than 5% of its land mass zoned Industrial/Research and Development, is under served in the amount of currently Zoned Industrial/Research and Development land, and

NOW THEREFORE, under the authority of the Town of Orchard Park Ordinances Sections 144-66 through 144-69, **be it**

RESOLVED, that SBL #172.07-1-7 5933 Big Tree Road is rezoned from R-3 to D-R.

The resolution was unanimously adopted.

Old Business #4 Approve the Change Order #1 to our contract with Fairway Contracting Inc. for the Bussendorfer Waterline Replacement Project.

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

WHEREAS, the Engineering Department is requesting your approval of a Change Order credit to the contract with Fairway Contracting, Inc. for the Bussendorfer Road Waterline Replacement Project for far

side and near-side house service reconnections, respectively. If approved, this could decrease the total contract amount by -\$26,630.89 to \$718,213.11, representing a decrease of 3.58%; and

WHEREAS, the Change Order requested is to revise the work scope under their contract to have Fairway Contracting credit the Town of Orchard Park -\$926.32 and -\$329.31, unit prices respectively, for the change of work, if possible, from a full far side and nearside water service replacements to simpler water service reconnections at the new watermain.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby approve Change Order #1 to our original contract with Fairway Contracting, Inc. for the Bussendorfer Road Waterline Replacement Project for a credit amount estimated at -\$26,630.89 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 advertisement for Bids for the Brush Mountain Park Bocce Ball Court Construction Project.

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

WHEREAS, the Orchard Park Engineering Department is finalizing design plans, and specifications, for the Brush Mountain Park Bocce Ball Court Project; and

WHEREAS, the Advertisement for Bids will be published. Plans and specifications will be available for purchase on August 19, 2022 with the bid opening to be held on August 30, 2022 at 2:00PM. It is expected that the construction will start after award and completion of construction work by October 14, 2022 weather permitting.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby authorize advertisement in the Orchard Park Bee for sealed bids to be opened for the Brush Mountain Park Bocce Ball Courts Project on August 30, 2022 at 2:00 P.M. in the Basement Meeting Room at the Orchard Park Municipal Center, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #2 Approve an Out-of-District Sewer Agreement regarding Sewer District No. 18 & 13

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

WHEREAS, the Engineering Department has received correspondence requesting Out-of-District Sewer Service approval from The Maranno/Marc Equity Corporation, for three (3) proposed residential houses at 6975, 6987, and 6999 Reserve Road; and

WHEREAS, the addresses are located inside the boundaries of Orchard Park Sanitary Sewer District No. 18, but the nearest available sanitary sewer mainline is in the Town of West Seneca Sanitary Sewer District No. 13 on the far-side of Reserve Road from the proposed homes. No Orchard Park sanitary sewer infrastructure is available to service these properties.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby therefore authorize the Town Supervisor to sign the Out-of-District Sewer Service Agreement between the Town Orchard Park Sewer District No. 18 and the Town of West Seneca Sanitary Sewer District No. 13 for the three (3) proposed residential houses at 6975, 6987, and 6999 Reserve Road; SBL Nos. 153.06-1-5, 153.06-1-6, and 153.06-1-7, respectively, when received, as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #3 Approve the 2022 part-time Orchard Park Recreation and Parks Department staff.

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

RESOLVED, that the Town Board is hereby authorized to approve the following residents appointments to the 2022 part-time staff for the Orchard Park Recreation and Parks Department retroactive to August 15, 2022 as recommended by the Recreation Director:

Jody Burnard	\$17.50	Michael Kubera	\$17.50
Brayden Buell	\$15.00	Janet Marks	\$17.50
Owen Casto	\$16.00	Clair Otis	\$16.75
Joseph Cole	\$15.00	Josephine Patronik	\$15.00
Madeline Feldman	\$17.50	Dana Totaro	\$15.00
Jacob Hemingway	\$15.00		

The resolution was unanimously adopted.

New Business #4 Approve a Special Events Permit for the Orchard Park High School Pep Club Homecoming Parade.

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

RESOLVED, that the Town Board does hereby approve a Special Events Permit for the Orchard Park High School Homecoming Parade to be held on Saturday September 24, 2022 from 10AM-10:30AM contingent upon receipt of the required fees.

The resolution was unanimously adopted.

New Business #5 Approve the 2022-2023 Commercial Parking Permits.

10) 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 approve the following 2022-2023 Commercial Parking Permits, as approved by the Chief of Police and Building Inspector:

2549 Group, LLC, 4297 Abbott Rd.
 3819 Southwestern Blvd., LLC, 3819 Abbott Rd.
 3920 Southwestern LLC, 3920 Southwestern Blvd
 Bell, Benjamin, 3847 Southwestern Blvd.
 Bieler, Kevin 3946 Southwestern Blvd.
 Big D Tire (Dunn) 3718 Southwestern Blvd.
 Clark, Zachary 4180 Abbott Rd.
 DeMarco, Nancy 4270 Abbott Rd.
 Danny's South 4300 Abbott Rd.
 DeMarco, Joe & Diane, 3964 California Rd.
 Hanley, Sean, 3944 California Rd.
 Henderson, John 3958 Southwestern Blvd.
 Jakubowski, Maureen, 3796 Abbott Rd.
 Janish, Joelle, 3719 Abbott Rd.
 Julicher, John & Carol 3748 Southwestern Blvd.
 Kane, Sue & Patrick, 3952 Southwestern Blvd
 Kingfisher Holdings (Eagan) 3785 Swtrn Blvd.
 Kowalski, Ray & Sue, 3972 Southwestern Blvd
 Leitzan, Mark, 3808 Abbott Rd.
 Leitzan, Mark, 3816 Abbott Rd.
 Leitzan, Mark, 3830 Sheldon Rd.
 Liberatore, Victor, 3807 Southwestern Blvd
 Matwijow, Eric Am. Hammer Hold, 4170 Abbott Rd.
 Matwijow, Lisa, 4155 Abbott Rd.
 Passucci, Michael (5/17), 5100 Big Tree Rd.

Przybyl, Dennis 3976 Southwestern Blvd
 Red Carpet Inn, 3940 Southwestern Blvd
 Simoncelli, Dave 3730 California Rd.
 Simoncelli, Dave 3740 California Rd.
 Simoncelli, Ed/John 5455 Webster Rd.
 South Towns Motel 3923 Southwestern Blvd.
 Simoncelli, Michael, 3848 California Rd.
 Smith, Scott & Linda, 3879 Southwestern Blvd
 Stadium Mobil, Inc, 3856 Southwestern Blvd
 Stephen, Paul 4171 Abbott Rd.
 Team Pro Auto Care 3707 Southwestern Blvd.
 Teeter, Christopher 3904 Abbott Rd.
 Tempesto, David, 3912 Southwestern Blvd
 Trella, Gary 4317 Abbott Rd.
 Tripodi, Stephen, 3800 Southwestern Blvd
 Twin Oaks Motel 3949 Southwestern Blvd.
 Violanti, Samuel/ Gillardo, Ramon, 3763 Abbott Rd.
 W.J. Milligan / JM Productions 3864 Abbott Rd.
 W.J. Milligan / JM Productions 3880 Abbott Rd.
 W.J. Milligan / JM Productions 3892 Abbott Rd
 Kuebler, John 3892 Abbott Rd.
 Wannamacher, Lee, 3746 Abbott Rd.
 Whytas, Henry 5528, W. Webster Rd.
 Windom Community Church, 3766 Abbott Rd.
 Yemma, Joseph, 3785 Abbott Rd.

The resolution was unanimously adopted.

New Business #6 Approve Site Plan and Authorize a Building Permit for V/L Sterling Dr., Silver Grove Financial.

11) 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 presented site plan for V/L on Sterling Drive, Silver Grove Financial, located on the west side of Sterling Drive, south of Windward Drive, Zoned I-1 and authorize a Building Permit, to construct a 5,340 square foot Office Building, per the plan received on 3/11/2022, based on the following conditions and stipulations:

1. All public notices have been filed.
2. This is a Type 1 SEQR Action, based on the Short EAF and a Negative Declaration is hereby made.
3. The site lighting is limited to those fixtures and poles indicated on the approved site plan. Light fixtures shall have flat lenses and all lighting is to be directed downward and toward the site.
4. No outside storage or display is permitted.
5. An updated Landscape Plan, received 6/14/2022, meets all Green Space regulations with 67% Green Space. In accordance with Section 144-44(c)(1)(a)(2), a Certified Check amounting to 50% of the \$20,220 Landscaping Estimate Value shall be deposited with the Town Clerk. (\$10,110) Conservation Board approval was granted on 7/5/2022.
6. Any future dumpsters shall be screened, in accordance with Section 144-25 of the Town Code.

7. The applicant is to provide the Town of Orchard Park Assessor with an “independent” appraisal for the completed project by a Certified Commercial Appraiser
8. Planning Boards’ recommendational approval is pending Engineering approval, which is awaiting submission of all outside Agencies’ approvals.
9. Approval is “*conditioned*” upon consulting with the Conservation Board to determine if additional trees can be incorporated into the previously approved Landscape Plan.

The resolution was unanimously adopted.

BUSINESS FROM THE FLOOR

Dan Sour inquired about the rezonings of Taylor Road.

Lindsay Riggs spoke against the rezoning of Taylor Rd. and thanked the Board for looking into it thoroughly.

Richard Dorsett inquired about a parking area being removed from the Breezewood and Arrowood Dr. area. He stated it is used frequently, removing it would cause parking problems in the neighborhood.

ELECTED OFFICIALS & DEPARTMENT MANAGERS

Supervisor Eugene Majchrzak thanked the residents from Pleasant Acres West for their gracious behavior and spoke of the Buffers regarding the rezoning of Taylor Rd. He thanked the Police, IT and Dispatch for handling the 3 event/4 day events at the Stadium so well. He addressed the overtime the Police Department has to pay and inquired if the performers at the stadium should be assisting with the cost of security. The new stadium has the potential to be a destination venue.

Councilmember Joseph Liberti thanked John Mills for acknowledging and presenting the Police Officers with a proclamation. He also congratulated the Officers.

Councilmember Conor Flynn spoke of Police funding and special events at the Stadium.

Councilmember Scott Honer spoke highly of the Orchard Park Police and congratulated the Officers who were recognized today. He also thanked John Mills for their proclamations.

Town Clerk Remy Orffeo stated the Commercial Parking Permits, and the items under Reports and Communications will be on file in the Town Clerk’s Office. He also gave a brief history of the HUD law suit against the Town of Orchard Park and stated the final verdict found the Town of Orchard Park was not guilty of any discriminatory actions, was just.

Highway Superintendent Andrew Slotman stated sanitary sewers on Webster Rd. have been repaired; he thanked the residents for their patience. He also stated the leaf trucks are ready to work.

Police Chief Patrick Fitzgerald stated it has been a busy week with 3 stadium events in four days. He thanked IT, Police Officers and Dispatch for stepping up and doing a great job. He also thanked Legislator Mills for recognizing the Officers.

Erie County Legislator John Mills spoke of the money budgeted to the Town of Orchard Park for the coming year.

12) 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 authorize the approval of all entries on Warrant #16 following auditing by members of the Town Board and in the funds indicated:

General Fund	\$76,821.33
Public Safety Fund	\$16,678.48
Part Town Fund	\$2,322.00
Risk Retention	-0-
Cemetery Fund	-0-
Highway Fund	\$197,857.33
Special Districts	\$21,132.68
Trust & Agency	\$4,586.00
Capital Fund	\$12,920.00

The resolution was unanimously adopted.

COMMUNICATIONS

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

RESOLVED, that the Town Board does hereby receive and file: The notice regarding the Highway Reconstruction & Bridge Replacement Project PIN 5111.77 on US Route 20 (Southwestern Blvd./Transit Rd.) from Leydecker Rd. to Route 16 (Seneca St.)

The resolution was unanimously adopted.

REPORTS

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

RESOLVED, that the Town Board does hereby receive and file the Letter of Findings of Compliance regarding People, Inc. v The Town of Orchard Park, et al.

The resolution was unanimously adopted.

There being no further business, on a motion by Supervisor Majchrzak, seconded by Councilmember Flynn, the meeting adjourned at 8:22 PM (local time).

Respectfully Submitted,

**Remy C. Orffeo
Town Clerk**