



TOWN OF ORCHARD PARK

ENGINEERING DEPARTMENT

S 4295 South Buffalo Street Orchard Park, New York 14127-2609

Phone: (716) 662-6425
Fax: (716) 662-6488
Email: openg@orchardparkny.org

TOWN ENGINEER
WAYNE L. BIELER, P.E.

June 4, 2019

Honorable Town Board
Town of Orchard Park
4295 South Buffalo Street
Orchard Park, NY 14127

**Re: Proposed Change Order #5
Brush Mountain Community Activity Center
IPL Corp. Electrical Contract – Sprinkler Head revisions, Carbon Monoxide
Detection Equipment, Handicap Entry Buttons, Access Control Rough-in**

Dear Board Members:

As you are aware from our weekly progress meetings, there are items that need to be addressed. The first item is the necessary revisions to the fire suppression system to meet the current building and fire codes. This change included additional work from the General, Electrical, and Fire Protection contractors. IPL has submitted a price of \$9,663.00 for their portion of the work which included relocating fixtures and providing additional connections required for the fire suppression contractor. The total cost of the change order will be \$27,461.60 if accepted for all three contractors.

The second item, IPL raised a concern about the number, type, and location of carbon monoxide detection notification devices within the building. Wendel, O.P. Engineering Department, and the O.P. Building Inspectors office have worked with IPL to revise their original proposal and still conform to the current code requirement. The additional notification devices to be added will ensure proper notification of building occupants in case of an emergency. IPL has submitted a cost of \$9,541.36 to install the additional notification devices.

The third item addresses the handicap entry buttons for the entry doors into the C.A.C. IPL has submitted a plan and proposal that has been reviewed by Wendel that would be more user friendly and ensure easy and convenient access into the building for all users. The work includes the addition of two pylon mounted buttons and relocating buttons inside the structure for more suitable contact. IPL has proposed a cost of \$1,790.00 to complete this work.

The fourth item stems from the creation of the master keying schedule, the O.P. Engineering Department, Wendel met with both Police and IT. Department representatives. While reviewing access restrictions and privileges it was noted that there are currently only six doors within the center that are equipped with card readers for access control. This was done as a cost savings measure instead of equipping every door within the center. Both the IT and Police Departments requested a proposal to rough-in the necessary conduit so at a future date ten additional doors could be equipped with card readers. This would allow the users of the rooms identified to access the center based on permissions granted and more closely

monitor usage by individuals. IPL has supplied a proposal of \$4,790.00 to provide the materials that would allow a "plug and play" usage of future card readers.

This change order will increase IPL's total contract by \$25,784.36 to \$1,883,229.55 representing a 1.37% increase. There is presently funding allocated under Capital Projects AB004 & AB005 for the Community Activity Center, however, additional funding is needed for Capital Accounts.

I, therefore, recommend that you approve change order #5 to our contract with Industrial Power & Lighting Corporation 60 Depot St, Buffalo, NY 14206, for the sprinkler revisions, carbon monoxide detection equipment, handicap entry buttons, and access control rough-in work in an amount not to exceed \$25,784.36

Respectfully submitted,



Wayne L. Bieler, P.E., CFM
Town Engineer

Attachments

cc: Town Clerk
Town Attorney
Drescher & Malecki
Wendel
File #15.007



TOWN OF ORCHARD PARK

ENGINEERING DEPARTMENT

S 4295 South Buffalo Street Orchard Park, New York 14127-2609

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TOWN ENGINEER
WAYNE L. BIELER, P.E.

June 4, 2019

Honorable Town Board
Town of Orchard Park
4295 South Buffalo Street
Orchard Park, NY 14127

**Re: Proposed Change Order #6
Brush Mountain Community Activity Center
Javen General Contract – ASI #6 Kitchen Modifications,
Sprinkler Head Additions, Box Culvert Wing Wall**

Dear Board Members:

As you are aware from our weekly progress meetings, three items need to be addressed. The first one, Wendel released ASI #6 to Javen modifying portions of the contract per the Town's requests. The significant changes that were made included relocation of the serving pass-through window from the kitchen into the medium multi-purpose room and a revision to the size of a window located in the Recreation office #136, as requested by the Recreation Department. The cost of the changes outlined in ASI #6 are \$7,377.10.

The second item, scheduled necessary revisions that had to be made to the fire suppression system to meet the current building and fire codes. This change included additional work from the General, Electrical, and Fire Protection contractors. Javen has submitted a price of \$3,101.46 for their portion of the work which included providing fire retardant treated plywood sheathing. The total cost of the change order will be \$27,461.60, if accepted for all three contractors.

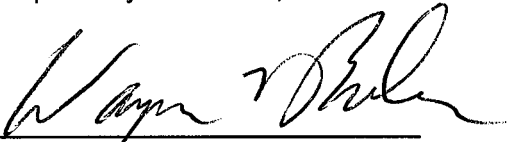
The third item, during the installation of the wing-walls for the concrete box culvert a conflict was realized with the Erie County sanitary trunk line. Wendel and the Engineering Department worked swiftly and diligently to resolve the conflict in a manner that was both acceptable to the Town and the County. A revised construction drawing was provided to Javen (Zoladz) for pricing on the revised work. The work has since progressed and materials ordered. A cost proposal has been received from Javen in the amount of \$9,511.31. Although this cost has been negotiated down approximately \$2,000.00 from the original proposal, Wendel and the O.P. Engineering Department feel it is higher than expected but covers the cost which impacted Zoladz's.

If all three items are approved, this change order will increase Javen's contract by \$19,989.87 for a total of \$12,904,863.21 a 0.16% increase. There is presently funding allocated under Capital Projects AB004 & AB005 for the Community Activity Center, however, additional funding will be needed in the capital account to complete the project.

Pg. 1 of 2

I, therefore, recommend that you approve Change Order #6 to our contract with Javen Construction Co., Inc., 2575 Baird Road, Penfield, NY 14526 for ASI #6 kitchen modifications, the sprinkler head revisions, and the entrance driveway wing wall revisions in the amount not to exceed \$19,989.87 for the Brush Mountain Community Activity Center Project.

Respectfully submitted,



Wayne L. Bieler, P.E., CFM
Town Engineer

Attachments

cc: Town Clerk
Town Attorney
T. Malecki, Drescher & Malecki
Wendel
File #15.007



TOWN OF ORCHARD PARK

ENGINEERING DEPARTMENT

S 4295 South Buffalo Street Orchard Park, New York 14127-2609

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TOWN ENGINEER
WAYNE L. BIELER, P.E.

June 4, 2019

Honorable Town Board
Town of Orchard Park
4295 South Buffalo Street
Orchard Park, NY 14127

**Re: Proposed Change Order #2
Brush Mountain Community Activity Center
Wm. T. Spaeder Fire Protection Contract – Sprinkler Revisions**

Dear Board Members:

As you are aware from our weekly progress meetings, there were necessary revisions that had to be made to the fire suppression system to meet the current building and fire codes. This change included additional work from the General, Electrical, and Fire Protection contractors. Wm. T. Spaeder has submitted a price of \$14,697.14 for their portion of the work which included providing additional sprinkler heads at the building overhangs and a dry fire suppression system to the exterior canopy. The total cost of the change order will be \$27,461.60, if accepted for all three contractors.

This change order will increase Wm. T. Spaeder's total contract to \$194,997.14, representing a 7.54% increase. There is presently funding allocated under Capital Projects AB004 & AB005 for the Community Activity Center, however, additional funding will be needed for capital accounts to complete the project.

I, therefore, recommend that you approve change order #2 to our contract with Wm. T. Spaeder Co., Inc., 1602 East 18th Street, Erie, PA 16510, for the sprinkler head revisions for the Brush Mountain Community Activity Center in an amount not to exceed \$14,697.14.

Respectfully submitted,

Wayne L. Bieler, P.E., CFM
Town Engineer

Attachments

cc: Town Clerk
Town Attorney
T. Malecki, Drescher & Malecki
Wendel
File #15.007

Visit the Town's website at www.orchardparkny.org

TC

WHEREAS, Steven Bremer was appointed to the position of Code Enforcement Officer on February 27, 2019, and

WHEREAS, his starting date was March 11, 2019, and

WHEREAS, Steven has 15 years of experience in the code enforcement area,

THEREFORE NOW BE IT RESOLVED that

Steven Bremer's appointment to the position of Code Enforcement Officer includes two (2) weeks vacation in 2019 and three (3) weeks vacation in 2020.



TC

TOWN OF ORCHARD PARK APPLICATION FOR PERMISSION TO HOLD SPECIAL EVENT

NAME OF ORGANIZATION: Eclipse Multi-Sport

ADDRESS: [Redacted]

CITY/STATE/ZIP: [Redacted]

CONTACT PERSON: [Redacted] EMAIL: eclipsemultisport@gmail.com

PHONE: (CELL) 830-6713 (HOME/WORK) _____

FOR PROFIT: NON-PROFIT: PROVIDE TAX ID#: _____ (STATUS 501C-3: _____)

THE EVENT: Lindsay Matthews 5K

PURPOSE OF EVENT: Race

DATE OF EVENT: Sun July 28, 2019 TOTAL PARTICIPANTS EXPECTED: 200

TIME OF EVENT: FROM: 10 AM TO: 11 AM

LOCATION OF EVENT: OP Soccer Complex

RACE OR WALK PROVIDE MAP AND ROUTE including Start & Finish Points Not Applicable

APPLICATION (non-refundable): \$75.00 Date Paid 4/30/19 Payment Type ck #21667 Clerk Initials JB

(A.0000.1289) Date of Town Board Agenda: _____

CERTIFICATE OF LIABILITY INSURANCE Not Applicable

ADDITIONAL SERVICES REQUESTED

RECREATION CENTER RENTAL AT GREEN LAKE: \$250/DAY Date Paid _____ Payment Type _____
(A2001.000)

BUILDING INSPECTOR: (3.0000.2590) YES Not Applicable Total \$ _____

TENT OPERATING PERMIT NEEDED (\$50.00) _____

FIREWORKS OPERATING PERMIT NEEDED (\$75.00) _____

POLICE: (PS.0000.1520.0003) (fee is minimum 2 hours) YES Not Applicable Total \$ 440.00

WITH CAR (\$110 hr) 2 WITHOUT (\$90 hr) _____ (PRIVATE HIRE) _____

Note: _____

HIGHWAY: (DA.0000.2770.0001) YES Not Applicable Total \$ _____

FENCING: _____ BARRICADES /LOCATION: _____

CONES: _____ OTHER: _____

FEES: Additional Town / Village Fees May apply

TOTAL FEES: \$ 440 DATE PAID 5/14/19

I, THE UNDERSIGNED, HEREBY MAKE APPLICATION FOR THE ABOVE DESCRIBED SPECIAL EVENT, AND AGREE TO BE BOUND BY THE TERMS HERIN STATED.

SIGNATURE: Ann Hogan DATE: 3-13-19

PRINT NAME: Ann Hogan

Office Use Only Town Department Approval/ Denial

Department:

TOWN BOARD Approved _____ Denied _____ Date _____ BUILDING Approved _____ Denied _____ Date _____

POLICE Approved _____ Denied _____ Date _____ HIGHWAY/PARKS Approved _____ Denied _____ Date _____

RECREATION To be Notified VILLAGE To be Notified

EMERGENCY DISASTER CO-ORDINATOR To be Notified

FINAL APPROVAL IS AT DISCRETION OF OP TOWN AND/OR VILLAGE BOARD
TOWN CLERK TOWN BOARD APPROVAL CONTACTED APPLICANT: Date: _____



TOWN OF ORCHARD PARK

TOWN CLERK'S OFFICE

S 4295 SOUTH BUFFALO STREET • ORCHARD PARK, NEW YORK 14127-2688

Phone: (716) 662-6410

Fax: (716) 662-6413

Email: optownclerk@orchardparkny.org

TOWN CLERK
REMY C. ORFFEO

Town of Orchard Park

Block Party Request Form

(Requests should be submitted 15 days prior to the event)

Name: Shelly Molisani

Address: 3 Highbrook Ct, OP, NY 14127

Phone #: 662-2726

Location: Highbrook Ct + Redbrick Rd

(Street Name and Cross Street)

Date/Time: June 22, 2019 ^{3 pm} Rain Date _____

(Month, Day, Year and Time of Event) example: Noon to Midnight

Barricades needed: Yes No

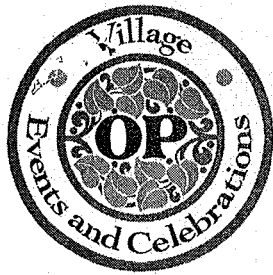
Requesting Exemption from the Town's Open Container Law: Yes

Office Use Only

Date Received by Town Clerk	<u>5/15/19</u>	Police Dept. Approval	<u>EDW 5/15/19</u>
Highway Superintendent Approval	<u>[Signature] 5/23/19</u>	Town Board Approval	_____
\$ 20.00 Non Refundable Fee Received:	<u>5/15/19</u>	CHECK #	<u>2308</u> CASH _____

Visit the Town's website at www.orchardparkny.org

RESOLVED, that the Town Board authorizes the Village of Orchard Park to hold "Summer in the Park" including: Ice Cream Social on July 26, 2019 and Street Dance on July 27, 2019. The Town Supervisor is authorized to grant permission for the Village to sell/serve alcoholic beverages at the Street Dance.



Village Events and Celebrations

Orchard Park, NY

May 20, 2019

Town of Orchard Park
4295 South Buffalo Street
Orchard Park, NY 14127

Re: Summer in the Park Celebration 2019

Dear Supervisor Keem:

The Village of Orchard Park is once again sponsoring Summer in the Park. This year the Ice Cream Social will be held on Friday, July 26, 2019 and the Street Dance will be on Saturday, July 27, 2019.

In order to promote the events, we would like permission from the Town to display banners on the front lawn of the municipal building (size 2'x 5 1/2' wide) and at Steinwach's Oak Grove Green (size 3'x7' wide) beginning Monday July 8th. We will put 2-3 stakes in the ground and tie the banners to them.

We appreciate your attention and support of this community event and look forward to hearing from you regarding this request. Please call the Village Office 662-9327 if you have any questions or require additional information

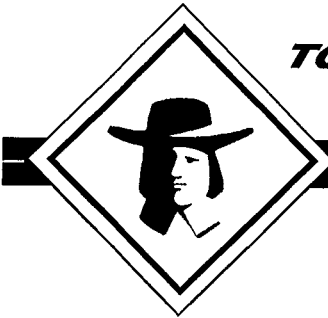
Very truly yours,

Matthew J. Hartung
Village Trustee/ Deputy Mayor

cc: Reme Orrfeo, Town Clerk

TOWN OF ORCHARD PARK HIGHWAY DEPARTMENT

4350 South Taylor Road, Orchard Park, NY 14127 Phone: (716) 662-6442 Fax: (716) 662-2187



Frederick J. Piasecki, Jr. ~ Highway Superintendent

May 31, 2019

Honorable Town Board
Town of Orchard Park
4295 South Buffalo Street
Orchard Park, New York 14127

Re: Purchase of a new 2019 Ford pickup truck (4x4)

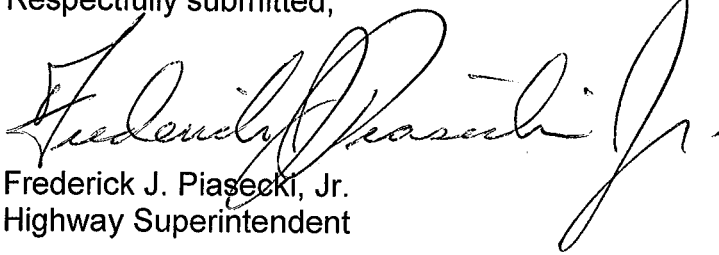
Dear Board Members:

In accordance with our truck replacement program, we are looking to purchase a new 2019 pickup truck. This new truck will be replacing an existing pickup truck which has high mileage and will be moved down in the fleet.

2010 Ford F-150 pickup truck – 142,650 miles

The cost of the new 2019 Ford pickup truck totals \$30,006.43 this vehicle will be purchased on New York State bid and monies are in the current budget.

Respectfully submitted,


Frederick J. Piasecki, Jr.
Highway Superintendent



TOWN OF ORCHARD PARK

ENGINEERING DEPARTMENT

S 4295 South Buffalo Street Orchard Park, New York 14127-2609

Phone: (716) 662-6425
Fax: (716) 662-6488
Email: openg@orchardparkny.org

TOWN ENGINEER
WAYNE L. BIELER, P.E.

June 5, 2019

Honorable Town Board
 Town of Orchard Park
 4295 South Buffalo Street
 Orchard Park, New York 14127

**Re: 2019 Summer Help
 Engineering Department**

Dear Board Members:

Funds have been allocated in the 2019 budget for seasonal help in the Engineering Department. With the current work load of the Engineering Department, I am recommending Mitchell Pastor. Mitchell is completing the Erie 2 B.O.C.E.S – Ormsby Educational Center to receive a CADD Technical Endorsement and will be graduating with Advanced Regents Diploma from East Aurora High School this month. Mitchell also completed an internship with Nussbaumer and Clark Incorporated.

I, therefore, recommend that you approve Mitchell Pastor, 6053 Quaker Hollow Road, Orchard Park, New York 14127 to a seasonal position in the Engineering Department for a ten-week period beginning July 1, 2019 at a wage rate of \$13.50 per hour.

Respectfully submitted,

Wayne L. Bieler, P.E., CFM
 Town Engineer

cc: Town Clerk
 Connie Fitzgerald, Personnel
 Mitchell Pastor
 File

TC



MEMORANDUM

May 22, 2019

To: Jessica Rojek
Counie Fitzpatrick



From: Frederick J. Plasecki, Jr.

Ref: Payroll - Parks & Grounds (Seasonal)
Jessica
Counie,

Joseph Rozeski
Started on May 20, 2019 Rate \$11.10
- Coding A07110 50419

Jeffrey Palczewski
Started on May 20, 2019 Rate \$11.10
- Coding A07110 50419

Paul Tucker
Started on May 21, 2019 Rate \$11.10
- Coding A07110 50419

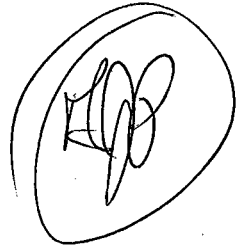


MEMORANDUM

May 30, 2019

To: Jessica Rojek
Counie Fitzpatrick

From: Frederick J. Piasecki, Jr.



Ref: Payroll - Parks & Grounds (Seasonal)
Jessica
Counie,

Verdun Harris
Started on May 28, 2019 Rate \$11.10
- Coding A07110 50419

Cody Magill
Started on May 28, 2019 Rate \$11.10
- Coding A07110 50419

David Morris
Started on May 28, 2019 Rate \$11.10
- Coding A07110 50419



MEMORANDUM

May 31, 2019

To: Jessica Rojek
Counie Fitzpatrick



From: Frederick J. Piasecki, Jr.

Ref: Payroll - Parks & Grounds (Seasonal)

Counie,

Christain Triglio

Started on May 28, 2019 Rate \$11.10

Coding A07110 50419



TOWN OF ORCHARD PARK RECREATION DEPARTMENT

200 North Lake Drive Orchard Park, New York 14127-2609
 (716) 662-6450 Fax: (716) 209-0210
 E-Mail: oprec@orchardparkny.org
 Website: www.orchardparkny.org

June 5th, 2019

To: Town Board
 From: Ed Leak
 Director of Recreation

I respectfully submit the following for appointment to the staff of the Town of Orchard Park Recreation Department Summer 2019.

RE: Item 1 (2019 Summer Seasonal part time Staff Appointments effective June 1st, 2019)

<u>Name</u>	<u>Rate</u>	<u>Position (Title*)</u>
Lauren Schraf	\$12.00	PT4-D (Att)
Emma Johnson	\$12.50	PT5-A (Lg)
Teresa Kjellstrom	\$12.50	PT5-A (Att)
Daniel Towle	\$14.00	PT6-B (Att)

Note: The above appointment is dependent upon the applicant providing the required certifications.

*Att=Attendant

*LG= Lifeguard

Recreation Director: Ed Leak

Assistant Recreation Director: Kristin Santillo

Recreation Assistant: Jenni Carter



TOWN OF ORCHARD PARK

ENGINEERING DEPARTMENT

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TOWN ENGINEER
WAYNE L. BIELER, P.E.

June 5, 2019

Honorable Town Board
Town of Orchard Park
4295 South Buffalo Street
Orchard Park, New York 14127

**Re: 2019 Summer Help
Engineering Department**

Dear Board Members:

Funds have been allocated in the 2019 budget for seasonal help in the Engineering Department. With the current work load of the Engineering Department, I am recommending Matt Duebell. Matt is completing the Erie 2 B.O.C.E.S – Ormsby Educational Center to receive a certificate in CADD and graduating from Iroquois Senior High School with a Regents Diploma this month.

I, therefore, recommend that you approve Matt Duebell, 1240 Rice Road, Elma, New York 14059 to a seasonal position in the Engineering Department for a ten-week period beginning July 1, 2019 at a wage rate of \$12.50 per hour.

Respectfully submitted,

Wayne L. Bieler, P.E., CFM
Town Engineer

cc: Town Clerk
Connie Fitzgerald, Personnel
Matt Duebell
File



TOWN OF ORCHARD PARK

ENGINEERING DEPARTMENT

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Email: openg@orchardparkny.org

TOWN ENGINEER
WAYNE L. BIELER, P.E.

June 4, 2019

Honorable Town Board
Town of Orchard Park
4295 South Buffalo Street
Orchard Park, New York 14127

**Re: Consultant Agreement
Proposal for Architectural Services
Animal Shelter Improvements (Companion Animal Grant)**

Dear Board Members:

We have received a proposal for Architectural Services for the Alterations to the Orchard Park Animal Shelter from Bammel Architects. This work would involve the development of Design and Construction Documents based on the preliminary scope developed by the Animal Control, Engineering and Police Departments (attached).

I have met with representatives of the firm to review contract language, define a scope of services and negotiate an appropriate fee structure. I believe that the proposed scope of services and agreement with Bammel Architects, PC is satisfactory and will accomplish the goals of the project as set forth by the Town and the grant as set forth by the State. The work has been organized into major elements based upon the wish list submitted to NYS for the grant application and approval. The estimated total cost for professional services is \$18,000.00. Also attached are slip-sheets of similar local projects successfully completed by Bammel Architects which will also permit the Town to use the AIA Documents for bidding this building project as recommended by attorney.

There is presently funding in the 2019 Bond resolution for this project.

I, therefore, recommend that you authorize the Supervisor to sign an agreement with Bammel Architects, PC, 6459 West Quaker Street, Orchard Park, New York 14127 to provide professional services for Design and Construction Documents for the Orchard Park Animal Shelter Improvements (Companion Animal Grant) in the amount not to exceed \$18,000.00.

Respectfully submitted,

Wayne L. Bieler, P.E., CFM
Town Engineer

Attachments

cc: Town Clerk
Joseph Wehrfritz, Acting Police Chief
Kevin Masterson, Animal Control
File #19-009

Visit the Town's website at www.orchardparkny.org



TOWN OF ORCHARD PARK

ENGINEERING DEPARTMENT

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TOWN ENGINEER
WAYNE L. BIELER, P.E.

June 4, 2019

Honorable Town Board
Town of Orchard Park
4295 S. Buffalo Street
Orchard Park, New York 14127

**Re: Fire Hydrant Replacement
Near 6900 Ward Rd.**

Dear Board Members:

The Erie County Water Authority (ECWA) has requested that the Town replace one (1) fire hydrant located near 6900 Ward Road. The Town is required to incur the costs for such replacements of defective fire hydrants per the Town Attorney and lease management agreement between the Town of Orchard Park and ECWA.

A scope of work was generated and construction companies were solicited to perform the work described and cost estimates were received.

There is presently, \$425,686 in Capital Account FX006 (previously H-48) "Town Wide Water Improvements" for this work.

I, therefore, recommend that you award the contract to replace the fire hydrant near 6900 Ward Rd. to Fairway Construction, 5389 South Freeman Road, Orchard Park, NY 14127 in an amount of \$8,517.05.

Respectfully submitted,

Wayne L. Bieler, P.E., CFM
Town Engineer

Attachments

cc: Town Clerk
ECWA File

Visit the Town's website at www.orchardparkny.org

**EXTRACT OF MINUTES OF MEETING OF TOWN BOARD
ADOPTING SEQRA RESOLUTION**

At a meeting of the Town Board of the Town of Orchard Park, New York, New York, duly held on the 5th day of June, 2019:

Present:

Absent:

Supervisor Keem presented the following resolution and moved that it be adopted:

**RESOLUTION DETERMINING, PURSUANT TO THE
STATE ENVIRONMENTAL QUALITY REVIEW ACT,
THAT A CERTAIN CAPITAL IMPROVEMENT
PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT
ON THE ENVIRONMENT**

BE IT RESOLVED BY THIS TOWN BOARD AS FOLLOWS:

Section 1. The Town desires to undertake a certain capital improvement project at a maximum cost of \$5,215,000, as more particularly described in Section 3 hereof.

Section 2. The Town is hereby authorized to issue its serial general obligation bonds (the "Bonds") in the aggregate principal amount of not to exceed \$5,215,000 pursuant to the Local Finance Law of New York, in order to finance the class of objects or purposes described herein. The proposed maturity of the Bonds will exceed five (5) years.

Section 3. The class of objects or purposes to be financed pursuant to this Resolution (the "Purpose") consists of multiple components, including the repair, maintenance, and/or replacement of existing utility improvements, roads, buildings, street lighting, recreational and related facilities, as well as the installation of certain improvements.

Section 4. Pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and the regulations of the Department of Environmental Conservation of

the State of New York promulgated thereunder (collectively referred to hereinafter as "SEQRA"), the Town is required to make a determination with respect to the environmental impact of any "action" (as defined by SEQRA) to be taken by the Town and the Purpose constitutes such an action.

Section 5. To aid the Town in determining whether the Purpose may have a significant adverse impact upon the environment, the Town has prepared an Environmental Assessment Form (the "EAF").

Section 6. The Town has examined and reviewed the EAF in order to classify the Purpose and make a determination as to the potential significance of the Purpose pursuant to SEQRA.

Section 7. The Town hereby determines that while the majority of the components that comprise the Purpose constitute Type II Actions that do not require further review pursuant to SEQRA, the remainder of the components of the Purpose constitute an Unlisted Action.

Section 8. Based upon an examination of the EAF, the criteria contained in 6 NYCRR §617.7(c) (*i.e.*, SEQRA), and based further upon the Town's knowledge of the area, and such further investigation of the Purpose and its environmental effects as the Town has deemed appropriate, the Town hereby determines that the Purpose will not have a significant effect on the environment, and the Town hereby issues a negative declaration for the Purpose pursuant to SEQRA, which shall be filed in the office of the Town in a file that is readily accessible to the public.

Section 9. This Resolution shall take effect immediately upon its adoption.

The Motion having been duly seconded by Councilmember _____, it was adopted and the following votes were cast:

AYES

NAYS

Project:

Date:

**Short Environmental Assessment Form
Part 2 - Impact Assessment**

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**EXTRACT OF MINUTES OF MEETING OF TOWN BOARD
ADOPTING BOND RESOLUTION**

At a meeting of the Town Board of the Town of Orchard Park, Erie County, New York,
duly held on the 5th day of June, 2019:

Present:

Absent:

_____ presented the following resolution and moved that it be adopted:

**BOND RESOLUTION DATED JUNE 5, 2019 AUTHORIZING
THE ISSUANCE OF SERIAL BONDS OF THE TOWN OF
ORCHARD PARK, ERIE COUNTY, NEW YORK IN AN
AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED
\$110,000 TO FINANCE THE RECONSTRUCTION AND
RENOVATIONS OF VARIOUS MUNICIPAL BUILDINGS,
LEVY OF TAX IN ANNUAL INSTALLMENTS IN PAYMENT
THEREOF, THE EXPENDITURE OF SUCH SUM FOR SUCH
PURPOSE, AND DETERMINING OTHER MATTERS IN
CONNECTION THEREWITH.**

BE IT RESOLVED, by the Town Board of the Town of Orchard Park, Erie County, New
York as follows:

Section 1. The Town shall reconstruct and renovate various municipal buildings,
including necessary site work, and acquire original furnishings, equipment, machinery or
apparatus required for the purpose for which such reconstructed and renovated buildings are to
be used, including preliminary costs and costs related thereto, at a maximum cost of \$110,000, as
more particularly described in Section 3 hereof.

Section 2. The Town is hereby authorized to issue its serial general obligation bonds (the
"Bonds") in the aggregate principal amount of not to exceed \$110,000 pursuant to the Local
Finance Law of New York, in order to finance the class of objects or purposes described herein.

The proposed maturity of the Bonds will be in excess of five (5) years.

Section 3. The class of objects or purposes to be financed pursuant to this Resolution (the "Purpose") is the reconstruction and renovation of various municipal buildings, including necessary site work, and acquisition of original furnishings, equipment, machinery or apparatus required for the purpose for which such reconstructed and renovated buildings are to be used, including preliminary costs and costs related thereto.

Section 4. It is hereby determined and declared that (a) the maximum cost of the Purpose, as estimated by the Town Board, is \$110,000, (b) no money has heretofore been authorized to be applied to the payment of the cost of the Purpose, and (c) the Town plans to finance the cost of the Purpose from funds raised by the issuance of the Bonds and bond anticipation notes hereinafter referred to.

Section 5. It is hereby determined that the Purpose is one of the class of objects or purposes described in Subdivision 12(a)(1) of Section 11.00(a) of the Local Finance Law, and that the period of probable usefulness of the Purpose is twenty-five (25) years.

Section 6. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the sale of the Bonds, including renewals of such notes, is hereby delegated to the Supervisor of the Town, the chief fiscal officer.

Section 7. The power to further authorize the issuance of the Bonds and bond anticipation notes and to prescribe the terms, form and contents of the Bonds and bond anticipation notes, including the consolidation with other issues and determining whether to issue the Bonds with substantially level or declining annual debt service, subject to the provisions of this Resolution and the Local Finance Law, and to sell and deliver the Bonds and bond anticipation notes, is hereby delegated to the Supervisor of the Town. The Supervisor of the Town is hereby authorized to sign and the Town Clerk is hereby authorized to attest any Bonds and bond anticipation notes issued

pursuant to this Resolution, and the Town Clerk is hereby authorized to affix to such Bonds and bond anticipation notes the corporate seal of the Town.

Section 8. The faith and credit of the Town of Orchard Park, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such Bonds and bond anticipation notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall be levied annually on all taxable real property of the Town, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 9. This Resolution shall constitute the Town's "official intent", within the meaning of Section 1.150-2 of the Treasury Regulations, to finance the cost of the Purpose with the Bonds and notes herein authorized. The Town shall not reimburse itself from the proceeds of the Bonds or notes for any expenditures paid more than sixty days prior to the date hereof, unless specifically authorized by Section 1.150-2 of the Treasury Regulations.

Section 10. This Resolution is adopted subject to a permissive referendum pursuant to Section 35.00 of the Local Finance Law and Section 90.00 of the Town Law. The Town Clerk is hereby authorized and directed within ten (10) days after the adoption of this Resolution, to cause to be published a notice which sets forth the date of this Resolution's adoption and contains an abstract of the resolution concisely stating its purpose and effect.

Section 11. When effective, this Resolution or a summary thereof, shall be published by the Town Clerk together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, and such publication shall be in each official newspaper of the Town. The validity of the Bonds or of any bond anticipation notes issued in anticipation of the sale of the

Bonds may be contested only if such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or the provisions of law which should be complied with at the date of publication of this Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 12. The firm Barclay Damon LLP is hereby appointed to serve as Bond Counsel to the Town in connection with the Bonds and notes herein authorized.

Section 13. This Resolution is adopted subject to permissive referendum.

The Motion having been duly seconded by _____, it was adopted and the following votes were cast:

AYES

NAYS

**EXTRACT OF MINUTES OF MEETING OF TOWN BOARD
ADOPTING BOND RESOLUTION**

At a meeting of the Town Board of the Town of Orchard Park, Erie County, New York,
duly held on the 5th day of June, 2019:

Present:

Absent:

_____ presented the following resolution and moved that it be
adopted:

**BOND RESOLUTION DATED JUNE 5, 2019 AUTHORIZING
THE ISSUANCE OF SERIAL BONDS OF THE TOWN OF
ORCHARD PARK, ERIE COUNTY, NEW YORK IN AN
AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED
\$320,000 TO FINANCE THE RECONSTRUCTION AND
RESURFACING OF VARIOUS HIGHWAYS AND ROADS,
INCLUDING VARIOUS STREET IMPROVEMENTS, AT
AN ESTIMATED MAXIMUM COST OF \$320,000, LEVY OF
TAX IN ANNUAL INSTALLMENTS IN PAYMENT
THEREOF, THE EXPENDITURE OF SUCH SUM FOR SUCH
PURPOSE, AND DETERMINING OTHER MATTERS IN
CONNECTION THEREWITH.**

BE IT RESOLVED, by the Town Board of the Town of Orchard Park, Erie County, New
York as follows:

Section 1. The Town shall reconstruct and resurface various Town highways and roads,
including sidewalks, curbs, gutters, drainage, landscaping, grading or improving the rights of
way, and the elimination of any grade crossing and improvements in connection therewith,
including street lighting and preliminary costs thereof and costs incidental thereto, at a maximum
cost of \$320,000, as more particularly described in Section 3 hereof.

Section 2. The Town is hereby authorized to issue its serial general obligation bonds (the
“Bonds”) in the aggregate principal amount of not to exceed \$320,000 pursuant to the Local

Finance Law of New York, in order to finance the class of objects or purposes described herein. The proposed maturity of the Bonds will be in excess of five (5) years.

Section 3. The class of objects or purposes to be financed pursuant to this Resolution (the "Purpose") is the reconstruction and resurfacing of various Town highways and roads, including sidewalks, curbs, gutters, drainage, landscaping, grading or improving the rights of way, and the elimination of any grade crossing and improvements in connection therewith, including street lighting and preliminary costs thereof and costs incidental thereto.

Section 4. It is hereby determined and declared that (a) the maximum cost of the Purpose, as estimated by the Town Board, is \$320,000, (b) no money has heretofore been authorized to be applied to the payment of the cost of the Purpose, and (c) the Town plans to finance the cost of the Purpose from funds raised by the issuance of the Bonds and bond anticipation notes hereinafter referred to.

Section 5. It is hereby determined that the Purpose is one of the class of objects or purposes described in Subdivision 20(c) of Paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of the Purpose is fifteen (15) years.

Section 6. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the sale of the Bonds, including renewals of such notes, is hereby delegated to the Supervisor of the Town, the chief fiscal officer.

Section 7. The power to further authorize the issuance of the Bonds and bond anticipation notes and to prescribe the terms, form and contents of the Bonds and bond anticipation notes, including the consolidation with other issues and determining whether to issue the Bonds with substantially level or declining annual debt service, subject to the provisions of this Resolution and the Local Finance Law, and to sell and deliver the Bonds and bond anticipation notes, is hereby

delegated to the Supervisor of the Town. The Supervisor of the Town is hereby authorized to sign and the Town Clerk is hereby authorized to attest any Bonds and bond anticipation notes issued pursuant to this Resolution, and the Town Clerk is hereby authorized to affix to such Bonds and bond anticipation notes the corporate seal of the Town.

Section 8. The faith and credit of the Town of Orchard Park, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such Bonds and bond anticipation notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall be levied annually on all taxable real property of the Town, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 9. This Resolution shall constitute the Town's "official intent", within the meaning of Section 1.150-2 of the Treasury Regulations, to finance the cost of the Purpose with the Bonds and notes herein authorized. The Town shall not reimburse itself from the proceeds of the Bonds or notes for any expenditures paid more than sixty days prior to the date hereof, unless specifically authorized by Section 1.150-2 of the Treasury Regulations.

Section 10. This Resolution is adopted subject to a permissive referendum pursuant to Section 35.00 of the Local Finance Law and Section 90.00 of the Town Law. The Town Clerk is hereby authorized and directed within ten (10) days after the adoption of this Resolution, to cause to be published a notice which sets forth the date of this Resolution's adoption and contains an abstract of this Resolution concisely stating its purpose and effect.

Section 11. When effective, this Resolution, or a summary thereof, shall be published by the Town Clerk together with a notice in substantially the form prescribed by Section 81.00 of the

Local Finance Law, and such publication shall be in each official newspaper of the Town. The validity of the Bonds or of any bond anticipation notes issued in anticipation of the sale of the Bonds may be contested only if such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or the provisions of law which should be complied with at the date of publication of this Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 12. The firm Barclay Damon LLP is hereby appointed to serve as Bond Counsel to the Town in connection with the Bonds and notes herein authorized.

Section 13. This Resolution is adopted subject to permissive referendum.

The Motion having been duly seconded by _____, it was adopted and the following votes were cast:

AYES

NAYS

**EXTRACT OF MINUTES OF MEETING OF TOWN
BOARD ADOPTING BOND RESOLUTION**

At a meeting of the Town Board of the Town of Orchard Park, Orchard Park, New York, duly held on the 5th day of June, 2019:

Present:

Absent:

_____ presented the following resolution and moved that it be adopted:

**BOND RESOLUTION DATED JUNE 5, 2019
AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF
THE TOWN OF ORCHARD PARK, ERIE COUNTY, NEW
YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO
EXCEED \$1,424,000 TO FINANCE THE
RECONSTRUCTION OF THE WATER
SUPPLY/DISTRIBUTION SYSTEM, AT AN ESTIMATED
MAXIMUM COST OF \$1,424,000, LEVY OF TAX IN
ANNUAL INSTALLMENTS IN PAYMENT THEREOF, THE
EXPENDITURE OF SUCH SUM FOR SUCH PURPOSE, AND
DETERMINING OTHER MATTERS IN CONNECTION
THEREWITH.**

BE IT RESOLVED, by the Town Board of the Town of Orchard Park Erie County, New York (the "Town") as follows:

Section 1. The Town shall replace reconstruct the water supply/distribution system, including repairs to the water tank and replacement of water lines and preliminary costs thereof and costs incidental thereto, at a maximum cost of \$1,424,000, as more particularly described in Section 3 hereof.

Section 2. The Town is hereby authorized to issue its serial general obligation bonds (the "Bonds") in the aggregate principal amount of not to exceed \$1,424,000 pursuant to the

Local Finance Law of New York, in order to finance the class of objects or purposes described herein. The proposed maturity of the Bonds will be in excess of five (5) years.

Section 3. The class of objects or purposes (the "Purpose") to be financed pursuant to this resolution is the reconstruction of the water supply/distribution system, including repairs to the water tank and replacement of water lines and preliminary costs thereof and costs incidental thereto.

Section 4. It is hereby determined that said Purpose is an object or purpose described in subdivision 1 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is forty (40) years.

Section 5. It is hereby determined and declared that (a) the maximum cost of the Purpose, as estimated by the Town Board, is \$1,424,000, (b) no money has heretofore been authorized to be applied to the payment of the cost of the Purpose, and (c) the Town plans to finance the cost of the Purpose from funds raised by the issuance of the Bonds and bond anticipation notes hereinafter referred to.

Section 6. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the sale of the Bonds, including renewals of such notes, is hereby delegated to the Supervisor of the Town, the chief fiscal officer.

Section 7. The power to further authorize the issuance of the Bonds and bond anticipation notes and to prescribe the terms, form and contents of the Bonds and bond anticipation notes, including the consolidation with other issues and the use of substantially level or declining debt service, subject to the provisions of this Resolution and the Local Finance Law, and to sell and deliver the Bonds and bond anticipation notes, is hereby

delegated to the Supervisor of the Town. The Supervisor of the Town is hereby authorized to sign and the Town Clerk is hereby authorized to attest any Bonds and bond anticipation notes issued pursuant to this Resolution, and the Town Clerk is hereby authorized to affix to such Bonds and bond anticipation notes the corporate seal of the Town.

Section 8. The faith and credit of the Town of Orchard Park, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such Bonds and bond anticipation notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. Subject to the provisions of Chapter 97 of the Laws of 2011 of the State of New York, there shall be levied annually on all taxable real property of the Town a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 9. This Resolution shall constitute the Town's "official intent", within the meaning of Section 1.150-2 of the Treasury Regulations, to finance the cost of the Purpose with the Bonds and notes herein authorized. The Town shall not reimburse itself from the proceeds of the Bonds or notes for any expenditures paid more than sixty days prior to the date hereof, unless specifically authorized by Section 1.150-2 of the Treasury Regulations.

Section 10. This resolution is adopted subject to a permissive referendum pursuant to Section 35.00 of the Local Finance Law and Section 90.00 of the Town Law. The Town Clerk is hereby authorized and directed within ten (10) days after the adoption of said resolution, to cause to be published a notice which sets forth the date of the resolution's adoption and contains an abstract of the resolution concisely stating its purpose and effect.

Section 11. This Resolution, or a summary thereof, shall be published in full by the Town Clerk together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, and such publication shall be in each official newspaper of the Town. The validity of the Bonds or of any bond anticipation notes issued in anticipation of the sale of the Bonds may be contested only if such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or the provisions of law which should be complied with at the date of publication of this Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 12. The firm Barclay Damon LLP is hereby appointed to serve as Bond Counsel to the Town in connection with the Bonds and notes herein authorized.

Section 13. Subject to the provisions of Section 10 hereof, this Resolution shall take effect immediately upon its adoption.

The Motion having been duly seconded by _____, it was adopted and the following votes were cast:

AYES

NAYS

The foregoing resolution was thereupon declared duly adopted.

**EXTRACT OF MINUTES OF MEETING OF TOWN BOARD
ADOPTING BOND RESOLUTION**

At a meeting of the Town Board of the Town of Orchard Park, Erie County, New York,
duly held on the 5th day of June, 2019:

Present:

Absent:

_____ presented the following resolution and moved that it be adopted:

**BOND RESOLUTION DATED JUNE 5, 2019 AUTHORIZING
THE ISSUANCE OF SERIAL BONDS OF THE TOWN OF
ORCHARD PARK, ERIE COUNTY, NEW YORK IN AN
AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED
\$951,000 TO FINANCE THE RECONSTRUCTION AND
RENOVATIONS OF VARIOUS PARKS, PLAYGROUNDS
AND RECREATION AREAS, LEVY OF TAX IN ANNUAL
INSTALLMENTS IN PAYMENT THEREOF, THE
EXPENDITURE OF SUCH SUM FOR SUCH PURPOSE, AND
DETERMINING OTHER MATTERS IN CONNECTION
THEREWITH.**

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of Orchard
Park, Erie County, New York as follows:

Section 1. The Town shall reconstruct and renovate various parks, playgrounds and
recreation areas, including preliminary costs and costs related thereto, at a maximum cost of
\$951,000, as more particularly described in Section 3 hereof.

Section 2. The Town is hereby authorized to issue its serial general obligation bonds (the
“Bonds”) in the aggregate principal amount of not to exceed \$951,000 pursuant to the Local
Finance Law of New York, in order to finance the class of objects or purposes described herein.
The proposed maturity of the Bonds will be in excess of five (5) years.

Section 3. The class of objects or purposes to be financed pursuant to this Resolution (the "Purpose") is the reconstruction and renovation of various parks, playgrounds and recreation areas, including costs incidental thereto, including preliminary costs and costs related thereto.

Section 4. It is hereby determined and declared that (a) the maximum cost of the Purpose, as estimated by the Town Board, is \$951,000, (b) no money has heretofore been authorized to be applied to the payment of the cost of the Purpose, and (c) the Town plans to finance the cost of the Purpose from funds raised by the issuance of the Bonds and bond anticipation notes hereinafter referred to.

Section 5. It is hereby determined that the Purpose is one of the class of objects or purposes described in Subdivision 19(c) of Section 11.00(a) of the Local Finance Law, and that the period of probable usefulness of the Purpose is fifteen (15) years.

Section 6. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the sale of the Bonds, including renewals of such notes, is hereby delegated to the Supervisor of the Town, the chief fiscal officer.

Section 7. The power to further authorize the issuance of the Bonds and bond anticipation notes and to prescribe the terms, form and contents of the Bonds and bond anticipation notes, including the consolidation with other issues and determining whether to issue the Bonds with substantially level or declining annual debt service, subject to the provisions of this Resolution and the Local Finance Law, and to sell and deliver the Bonds and bond anticipation notes, is hereby delegated to the Supervisor of the Town. The Supervisor of the Town is hereby authorized to sign and the Town Clerk is hereby authorized to attest any Bonds and bond anticipation notes issued pursuant to this Resolution, and the Town Clerk is hereby authorized to affix to such Bonds and bond anticipation notes the corporate seal of the Town.

Section 8. The faith and credit of the Town of Orchard Park, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such Bonds and bond anticipation notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall be levied annually on all taxable real property of the Town, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 9. This Resolution shall constitute the Town's "official intent", within the meaning of Section 1.150-2 of the Treasury Regulations, to finance the cost of the Purpose with the Bonds and notes herein authorized. The Town shall not reimburse itself from the proceeds of the Bonds or notes for any expenditures paid more than sixty days prior to the date hereof, unless specifically authorized by Section 1.150-2 of the Treasury Regulations.

Section 10. This Resolution is adopted subject to a permissive referendum pursuant to Section 35.00 of the Local Finance Law and Section 90.00 of the Town Law. The Town Clerk is hereby authorized and directed within ten (10) days after the adoption of said resolution, to cause to be published a notice which sets forth the date of the Resolution's adoption and contains an abstract of the resolution concisely stating its purpose and effect.

Section 11. When effective, this Resolution, or a summary thereof, shall be published by the Town Clerk together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, and such publication shall be in each official newspaper of the Town. The validity of the Bonds or of any bond anticipation notes issued in anticipation of the sale of the Bonds may be contested only if such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or the provisions of law which should be complied

with at the date of publication of this Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 12. The firm Barclay Damon LLP is hereby appointed to serve as Bond Counsel to the Town in connection with the Bonds and notes herein authorized.

Section 13. This Resolution is adopted subject to permissive referendum.

The Motion having been duly seconded by _____, it was adopted and the following votes were cast:

AYES

NAYS

**EXTRACT OF MINUTES OF MEETING OF TOWN
BOARD ADOPTING BOND RESOLUTION**

At a meeting of the Town Board of the Town of Orchard Park, Orchard Park, New York, duly held on the 5th day of June, 2019:

Present:

Absent:

_____ presented the following resolution and moved that it be adopted:

**BOND RESOLUTION DATED JUNE 5, 2019
AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF
THE TOWN OF ORCHARD PARK, ERIE COUNTY, NEW
YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT
TO EXCEED \$2,410,000 TO FINANCE THE
CONSTRUCTION OF IMPROVEMENTS TO AND
RECONSTRUCTION OF THE SANITARY SEWER
SYSTEM, LEVY OF TAX IN ANNUAL INSTALLMENTS IN
PAYMENT THEREOF, THE EXPENDITURE OF SUCH SUM
FOR SUCH PURPOSE, AND DETERMINING OTHER
MATTERS IN CONNECTION THEREWITH.**

BE IT RESOLVED, by the Town Board of the Town of Orchard Park Erie County, New York (the "Town") as follows:

Section 1. The Town shall construct improvements to and reconstruct the sanitary sewer system, including, but not limited to, the televising and relining of the sanitary sewer main line, construction of improvements to the Berg Road Sanitary Sewer Pump Station, the Hillsburo Pump Station generator, and preliminary costs and costs related thereto, at a maximum cost of \$2,410,000, as more particularly described in Section 3 hereof.

Section 2. The Town is hereby authorized to issue its serial general obligation bonds (the "Bonds") in the aggregate principal amount of not to exceed \$2,410,000 pursuant to the

Local Finance Law of New York, in order to finance the class of objects or purposes described herein. The proposed maturity of the Bonds will be in excess of five (5) years.

Section 3. The class of objects or purposes (the "Purpose") to be financed pursuant to this resolution is the construction of improvements to and reconstruction of the sanitary sewer system, including, but not limited to, the televising and relining of the sanitary sewer main line, construction of improvements to the Berg Road Sanitary Sewer Pump Station, the Hillsburo Pump Station generator, and preliminary costs and costs related thereto.

Section 4. It is hereby determined that said Purpose is an object or purpose described in subdivision 4 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is forty (40) years.

Section 5. It is hereby determined and declared that (a) the maximum cost of the Purpose, as estimated by the Town Board, is \$2,410,000, (b) no money has heretofore been authorized to be applied to the payment of the cost of the Purpose, and (c) the Town plans to finance the cost of the Purpose from funds raised by the issuance of the Bonds and bond anticipation notes hereinafter referred to.

Section 6. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the sale of the Bonds, including renewals of such notes, is hereby delegated to the Supervisor of the Town, the chief fiscal officer.

Section 7. The power to further authorize the issuance of the Bonds and bond anticipation notes and to prescribe the terms, form and contents of the Bonds and bond anticipation notes, including the consolidation with other issues and the use of substantially

level or declining debt service, subject to the provisions of this Resolution and the Local Finance Law, and to sell and deliver the Bonds and bond anticipation notes, is hereby delegated to the Supervisor of the Town. The Supervisor of the Town is hereby authorized to sign and the Town Clerk is hereby authorized to attest any Bonds and bond anticipation notes issued pursuant to this Resolution, and the Town Clerk is hereby authorized to affix to such Bonds and bond anticipation notes the corporate seal of the Town.

Section 8. The faith and credit of the Town of Orchard Park, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such Bonds and bond anticipation notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall be levied annually on all taxable real property of the Town a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 9. This Resolution shall constitute the Town's "official intent", within the meaning of Section 1.150-2 of the Treasury Regulations, to finance the cost of the Purpose with the Bonds and notes herein authorized. The Town shall not reimburse itself from the proceeds of the Bonds or notes for any expenditures paid more than sixty days prior to the date hereof, unless specifically authorized by Section 1.150-2 of the Treasury Regulations.

Section 10. This Resolution is adopted subject to a permissive referendum pursuant to Section 35.00 of the Local Finance Law and Section 90.00 of the Town Law. The Town Clerk is hereby authorized and directed within ten (10) days after the adoption of said Resolution, to cause to be published a notice which sets forth the date of the

resolution's adoption and contains an abstract of this Resolution concisely stating its purpose and effect.

Section 11. This Resolution, or a summary thereof, shall be published by the Town Clerk together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, and such publication shall be in each official newspaper of the Town. The validity of the Bonds or of any bond anticipation notes issued in anticipation of the sale of the Bonds may be contested only if such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or the provisions of law which should be complied with at the date of publication of this Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 12. The firm Barclay Damon LLP is hereby appointed to serve as Bond Counsel to the Town in connection with the Bonds and notes herein authorized.

Section 13. This Resolution is adopted subject to permissive referendum.

The Motion having been duly seconded by _____, it was adopted and the following votes were cast:

AYES

NAYS

The foregoing resolution was thereupon declared duly adopted.

RESOLUTION

WHEREAS, the Town of Orchard Park has recently completed a review of operations and salaries at the Orchard Park Police Department, and

WHEREAS, based on that review a new Police Benevolent Association Labor contract has been negotiated and approved, and a new Command Officers Association Labor contract is being finalized, and

WHEREAS, in light of progress on those other two labor fronts, the Town of Orchard Park wishes to set parameters for compensating its Chief of Police,

NOW, THEREFORE, BE IT RESOLVED that:

- 1) Effective June 10, 2019 the exempt salary of the Chief of Police shall be 57% greater than the highest base current salary of a police/patrol officer in the Orchard Park Police Department.
- 2) In each succeeding year, the aforementioned percent greater salary of the Chief of Police shall remain in effect.
- 3) The salary anticipates a minimum of a five day, forty hour work week.
- 4) The Chief of Police shall also receive 30 hours of compensatory time at the end of each calendar quarter (January to March; April to June; July to September; October to December). Said time must be taken or sold back at the straight hourly rate (salary divided by 2080 hours) no later than the end of the ensuing calendar quarter.
- 5) Additional compensation for the Chief of Police shall include - to the same extent and with the same conditions as received by a command officer pursuant to the Orchard Park Police Command Officers Association collective

bargaining agreement - vacation, holidays, personal leave, sick leave accruals, longevity, clothing allowance, life insurance, employer contributions to payments of medical insurance premiums (including dental and optical coverage) or welfare benefits (HRA), and employer contributions to pension and /or annuity funds.