

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one.)

of Orchard Park

Local Law No. _____ of the year 20¹⁹

A local law Amending Chapter 97 "Parks & Playgrounds", Article 1. "General Provisions",
(Insert Title)
Section 97-11 "Hunting"

Be it enacted by the Town Board _____ of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of Orchard Park _____ as follows:

Amending Chapter 97 "Parks and Playgrounds", Article 1. "General Provisions", Section 97-11. "Hunting" as follows:

SECTION 1

Section 97-11. Hunting.

No person shall hunt on property owned by the Town of Orchard Park or within 500 feet of the boundaries thereof.

SECTION 2

This local law shall take effect upon filing in the Office of the Secretary of State or from the date of its service as against a person served personally with a copy thereof.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

PUBLIC NOTICE

A special public hearing will be held on October 16, 2019 at 7:00 P.M. at the Town of Orchard Park Municipal Building, S-4295 South Buffalo Street, Orchard Park, New York regarding the use of Federal Community Development Funds in the Town of Orchard Park.

The Town of Orchard Park is eligible for a Federal Community Development Grant under Title 1 of the Housing and Community Development Act of 1974, as amended.

The purpose of the hearing is to provide an opportunity for citizens to express community development and housing needs and to discuss possible projects which would benefit low and moderate income areas in the Town of Orchard Park.

Citizens are urged to attend this meeting to make known their views and / or written proposals on the Town of Orchard Park's selection of potential projects to be submitted for possible funding by the Federal Community Development Block Grant Program.

The Hearing will also present a review of prior Community Development projects and expenditures and a discussion of eligible activities. The meeting room is wheelchair accessible. Those needing special arrangements should call the Town Clerk at 662-6410.

Remy Orffeo
Town Clerk



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.

October 16, 2019

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

**Re: 2020-2021 CDBG Funds
Project Priority**

Dear Board Members:

As discussed at the 2019 public hearing on the use of 2020/2021 Community Development Block Grant Funds, the Supervisor must be given authorization to sign, submit, and execute the contracts with the Erie County Community Development Block Grant (ECCDBG) program. The proposed Community Development projects must be ranked in order of priority by the Town. In addition, Rural Transit Service has asked for a letter of support from the Town.

I, therefore, recommend the following resolutions be authorized:

- Authorize the Supervisor to sign, submit, and execute applications/contracts for the ECCDBG program with the following priority.
- Priority #1 = Furniture and Technology for Brush Mtn. Senior Center
- Priority #2 = Rural Transit Service
- Authorize the Supervisor to issue a letter of support for the Rural Transit Service – Van Program.

Respectfully submitted,

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

Attachment/CD Block Grant Handout

cc: Town Clerk
File

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.

October 16, 2019

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

**Re: CDBG 2020 - 2021
SEQR Resolution / CDBG Funding
Furniture and Technology for Brush Mtn. Senior Center**

Dear Board Members:

New York's State Environmental Quality Review Act (SEQR) requires all state and local government agencies to consider environmental impacts equally with social and economic factors during discretionary decision-making. The Town must assess the environmental significance of all actions they have discretion to approve, fund, or directly undertake.

The Orchard Park Engineering Department has attached the SEQR Short Form for the **Furniture and Technology for Brush Mtn. Senior Center** and the Town has determined the project is classified as a "Type II Action" in accordance with section 617.5 (c) (25) of the SEQR regulations as equipment and furniture. Actions that can be classified as a "Type II Action" under the SEQR regulations do not require any further SEQR review, including an Environmental Assessment Form. The Short Environmental Assessment Form has been completed and is attached to provide documentation of this review and determination.

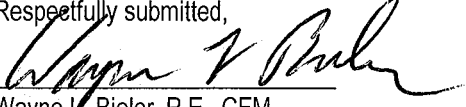
In addition, the Erie County DEP has requested formal proof that matching funding for the recently applied grant project has been dedicated and is secure. The **Furniture and Technology for Brush Mtn. Senior Center** is estimated at \$100,000.00 +/- and will be funded with the use of capital account AB004.

I, therefore, recommend that you adopt the following resolutions:

Determine that the **Furniture and Technology for Brush Mtn. Senior Center** (Equipment/Furniture) be classified as a "Type II Action" as the project will not have a significant impact on the environment and is precluded from further environmental review under New York State Environmental Conservation Law, Article 8.

Authorize the Town Clerk to complete a certified funding resolution for submittal to the Erie County Department of Planning for the 2020-2021 CDBG Grant Application with the grant match amount of \$50,000.00 +/- (50% of project cost) being funded by Town of Orchard Park capital account AB004 that will cover the funding necessary for the furniture and technology for the senior citizens.

Respectfully submitted,


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

Attachment

cc: Town Clerk
Town Attorney
File

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TOWN ENGINEER
WAYNE L. BIELER, P.E.

October 15, 2019

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

**Re: Brush Mountain Park Little Loop Football Field Project
Final Payment and Release of Retention**

Dear Board Members:

I am pleased to inform you that construction work on the above mentioned project has been completed. On September 5th 2019, a final inspection was conducted and all of the work has since been satisfactorily completed in accordance with the contract documents and specifications.

A two-year maintenance bond in the amount of \$312,528.47 has been submitted along with the Affidavit of Release of Liens, Affidavit of Payment of Debts and Claims, and necessary legal documents.

The Project was completed as a Lump Sum Project and no final cost adjustment was necessary.

I, therefore, recommend that you authorize the Final Payment and the Release of Retention to Zoladz Construction Inc., 13600 Railroad Street., Alden, New York 14004 for the Brush Mountain Little Loop Football Field Project in the amount of \$15,626.42.

Respectfully submitted,

Wayne L. Bieler, P.E., C.F.M.
Town Engineer

Attachment

cc: Town Clerk Town Attorney
File #2019.006



JL

TOWN OF ORCHARD PARK

ENGINEERING DEPARTMENT

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TOWN ENGINEER
WAYNE L. BIELER, P.E.

October 13, 2019

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

**Re: Proposed Change Order #12
Javen General Contract – Gymnasium Wall Alterations
Brush Mountain Community Activity Center**

Dear Board Members:

As discussed in the weekly progress meetings, a concern was brought to our attention regarding the low padded walls surrounding the gymnasium. The height of the walls did not correspond to the elevation of the first girt on the pre-engineered metal building. This would have left a gap and an unfinished edge between the interior and exterior walls. Javen has proposed to frame the interior wall higher to match the elevation of the first girt and continue drywall and paint above the padded section to provide a clean and finished edge.

Along with the change in the framing height, a request was made to have access doors located on the four corners of the gym where open cavities exist. These cavities are open from the top and could possibly collect items accidentally thrown into them. They could also be utilized for storage of equipment and supplies. We are currently working on this request however, are not yet ready to move forward with this change.

If approved, this change order will increase Javen's total contract \$4,176.55 to \$12,675,510.67 representing a 0.03 % increase. There is presently funding allocated under Capital Projects AB004 & AB005 for the Community Activity Center and additional funding is being allocated into the accounts.

I, therefore, recommend that you approve change order #12 to our contract with Javen Construction Co., Inc., 2575 Baird Road, Penfield, NY 14526 for the relocation of the condensate drain, downspout connections, and Flag Pole installation in an amount not to exceed \$4,176.55 for the Brush Mountain Community Activity Center Project.

Respectfully submitted,

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

Attachments

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



TOWN OF ORCHARD PARK

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TOWN ENGINEER
WAYNE L. BIELER, P.E.

October 15, 2019

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

**Re: Proposed Change Order #9
IPL Corp. Electrical Contract – Rural Transit Antenna Installation
Brush Mountain Community Activity Center**

Dear Board Members:

A request was made to include a new antenna for use by the Rural Transit Service within the Community Activity Center. Proposals have been received from both FM Communications and IPL for the work necessary to install the antenna. IPL's proposal to install the necessary conduit, cable, and boxes totals \$1,630.00.

This change order will increase IPL's total contract to \$1,930,284.55 representing a 0.08% increase. An agreement has been reached with Rural Transit Service to cover the cost of the additional work.

I, therefore, recommend that you approve change order #9 to our contract with Industrial Power & Lighting Corporation 60 Depot St, Buffalo, NY 14206, for the installation of necessary conduit and cable for an antenna in an amount not to exceed \$1,630.00 for the Brush Mountain Community Activity Center.

Respectfully submitted,

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

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

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

JL



TOWN OF ORCHARD PARK

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

SUPERVISOR
DR. PATRICK J. KEEM

COUNCILMEMBERS
EUGENE MAJCHRZAK
MICHAEL J. SHERRY

TOWN CLERK
REMY C. ORFFEO

TOWN ATTORNEY
JOHN C. BAILEY

TOWN JUSTICES
EDWARD A. PACE
JORGE DE ROSAS

SUPT. OF HIGHWAYS
FREDERICK J. PIASECKI, JR.

CHIEF OF POLICE
E. JOSEPH WEHRFRITZ

BUILDING INSPECTOR
STEVEN BREMER

TOWN ASSESSOR
MILTON BRADSHAW
SCAA

TOWN ENGINEER
WAYNE L. BIELER, P.E.

RECREATION DIRECTOR
EDWARD J. LEAK, CPRP

INTERIM PLANNING COORDINATOR
REMY C. ORFFEO

ANIMAL CONTROL OFFICER
KEVIN MASTERSON

SENIOR CENTER DIRECTOR
DEBRA SANTIAGO

October 10, 2019

Remy Orffeo, Town Clerk
S4295 South Buffalo Street
Orchard Park, New York 14127

Joseph Wehrfritz, Chief of Police
Orchard Park Police Department
S4295 South Buffalo Street
Orchard Park, New York 14127

RE: Intermunicipal Agreement with Town of West Seneca - Animal Control Facilities

Dear Remy & Joe:

I enclose a copy of the following:

- (1) Executed Municipal Cooperation Agreement to Share Animal Control Facilities.
- (2) Copy of the minutes authorizing the signature of that document by Sheila Meegan, West Seneca Supervisor.
- (3) Covering letter from Diane Webber, Law Clerk for the Town of West Seneca.

Please let me know if you have any questions.

Very truly yours,

John C. Bailey
John C. Bailey

JCB:alt
Enclosures



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.

October 15, 2019

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

**Re: Consultant Agreement - Lake & Pond Maintenance
Green Lake Aeration System**

Dear Board Members:

As you are aware, the Green Lake Dam Rehabilitation and Dredging project was completed a few years ago. To prepare for construction activities, the draining of the lake and removal of salvageable parts to the existing aeration system were completed.

However, in draining the lake, it became apparent that the existing plastic lines and diffuser heads were not salvageable from the heavily sediment laden lake bottom. It would not be safe or cost effective to send people out into the sediment to try and remove the underwater parts of the system. The decision was made that the old lines and diffusers would be dugout and removed with the sediment. The age of the existing system and improvements to new systems made it worthwhile to install a new more efficient system. The drastic changes in water depth would also require new diffuser placement since the old locations would no longer meet the water quality lake needs of the stocked fish.

I believe that the proposed estimate and agreement (attached) with AquaTech Environmental, Inc., is more than satisfactory and will accomplish the goals of the Town's water quality and fishery program that were set forth by the Town. The work will involve the installation of 2 compressors, manifolds, a grid of plastic air lines throughout the lake at various depths and eight diffuser heads to supply oxygen to the lake water.

I therefore recommend that you authorize the Supervisor to sign the agreement with AquaTech Environmental, Inc., 45 Kent Avenue, Blasdell, New York 14219, to supply and install a complete aeration system for Green Lake in an amount not to exceed \$12,650.00 (Scope does not include - 1 existing rebuilt compressor & manifold proposed to be reused and the extension of the existing electric line on the east end (north side) of the lake by Town forces).

Respectfully submitted,

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

Attachment

cc: Town Clerk Town Attorney OP Hwy Supt. File #14.012

S:\Pond Treatment\GENERAL\TB Approval - AquaTech Green Lake Aeration.doc

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



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ENGINEERING DEPARTMENT

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TOWN ENGINEER
WAYNE L. BIELER, P.E.

October 15, 2019

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

**Re: Little Loop Football Field
Brush Mountain Park Professional Consultant Agreement**

Dear Board Members:

As you are aware, the Engineering Department has recently completed construction of the new Little Loop Football Field at Brush Mountain Park. The next phase of the project includes construction of an announcer's booth and storage building. Little Loop Football had solicited Carmina Woods Morris to provide the necessary plans for the construction of the building. Upon review it was determined that the plans supplied were not sufficient for bidding and construction purposes. After negotiating with CW&M a proposal was received to complete the contract drawings to a level suitable for construction. The attached proposal outlines the scope of services with a cost not to exceed \$6,000.

There is funding allocated and are included under the Brush Mountain Community Activity Capital Account AP009 Fund, which was approved by the Town Board in 2019 bond resolutions.

Therefore, I recommend you authorize the Supervisor to sign an agreement with Carmina Woods Morris DPC for professional architectural and structural design services for the Brush Mountain Park Little Loop Football Field, in an amount not to exceed \$6,000.00.

Respectfully submitted,

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

Attachments

cc: Town Attorney Tom Malecki, Drescher & Malecki
Town Clerk OP Accounting Dept. File #19.006
Visit the Town's website at www.orchardparkny.org



TOWN OF ORCHARD PARK

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TOWN ENGINEER
WAYNE L. BIELER, P.E.

October 15, 2019

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

**Re: MKS Plumbing Consultant Agreement
Community Activity Center – Backflow Testing**

Dear Board Members:

As a condition of Erie County Water Authority approval for the Community Activity Center the newly installed backflow devices located on the domestic water service and irrigation line must be tested by a licensed technician. This testing is required annually on all backflow preventers within the Town.

MKS Plumbing has submitted a proposal of \$190.00 per backflow device for a total cost of \$380.00. Funding was allocated under the Brush Mountain Community Activity Capital Account AP009 with additional funding approved by the Town Board in 2019 bond resolutions.

I, therefore, recommend that you approve the consultant agreement with MKS Plumbing 19 Ransier Drive West Seneca, New York 14224, for the testing of installed backflow devices at the Community Activity Center in an amount not to exceed \$380.00.

Respectfully submitted,

Wayne L. Bieler, P.E.
Town Engineer

Attachment

cc: Town Clerk
Drescher & Malecki
Town Attorney
File 15.007

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



TOWN OF ORCHARD PARK

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TOWN ENGINEER
WAYNE L. BIELER, P.E.

October 15, 2019

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

**Re: Citizens Reorganization Empowerment Grant (CREG)
Sanitary Sewer District Consolidation Study**

Dear Board Members:

The Town's grant writer has brought it to our attention that the Town is eligible for a planning grant to fund a study for consolidating the Town's 23 Sanitary Sewer Districts. The grant is the Citizens Reorganization Empowerment Grant (CREG) through New York State - Department of State. This grant is non-competitive; if the Town submits a complete application it will be funded. The grant has a maximum award of \$50,000 and the Town is required to provide a 50% match. The preliminary estimate for the study is \$75,000 and legal fees may be as much as \$15,000 for a total project cost of approximately \$90,000. The Town's required match would be \$45,000. If in the future the Town enters a contract to implement the study, DOH will rebate the match amount from this grant (excluding 10%).

I therefore recommend that you adopt the following resolution;

AUTHORIZING CITIZENS REORGANIZATION EMPOWERMENT GRANT (CREG) APPLICATION FOR SANITARY SEWER DISTRICT CONSOLIDATION PLANNING

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of Orchard Park does hereby approve of an application to be made for funds from the Citizens Reorganization Empowerment Grant (CREG) administered by the New York State - Department of State regarding the plan to consolidate 23 Sanitary Sewer Districts in the Town so as to provide greater cost efficiency and possible expanded service. The grant funds are not to exceed \$50,000 and the Town of Orchard Park commits to providing 50% match funding also not to exceed \$50,000. The Town Board also authorizes Supervisor Dr. Patrick Keem to execute the applications as required.

Respectfully submitted,

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

cc: Town Clerk Town Attorney File

S:\Town Projects\Grants\2018\Letter to TB - CREG Grant.doc

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TOWN OF ORCHARD PARK

ENGINEERING DEPARTMENT

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TOWN ENGINEER
WAYNE L. BIELER, P.E.

October 15, 2019

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

**Re: *FM Communications Consultant Agreement
Community Activity Center – Rural Transit Antenna***

Dear Board Members:

A request was made to include a new antenna for use by the Rural Transit Service within the Community Activity Center. Proposals have been received from both FM Communications and IPL for the work necessary to install the antenna. FM Communications proposal includes purchasing and connecting the antenna equipment to work completed by IPL. The total cost of the proposal is \$613.72.

An agreement has been reached with Rural Transit Service to cover the cost of the additional work.

I, therefore, recommend that you approve the consultant agreement with FM Communications Inc., 1914 Colvin Blvd. Tonawanda, NY 14150, for the installation and connection of the antenna in an amount not to exceed \$613.72 for the Brush Mountain Community Activity Center.

Respectfully submitted,

Wayne L. Bieler, P.E.
Town Engineer

cc: Town Clerk
Drescher & Malecki
Town Attorney
File 15.007

S:\Town Projects\CAC - Construction\Consultant Approval FM Communications-Town Board.doc

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