

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

TOWN ENGINEER
WAYNE L. BIELER, P.E.

Email: openg@orchardparkny.org

February 11, 2020

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

Re: *Burmon Drive Reconstruction Project*
Final Change Order & Release of Retention

Dear Board Members:

I am pleased to inform you that construction work on the Burmon Drive Reconstruction Project has been completed. On August 6, 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 \$2,320,446.90, has been submitted along with the Affidavit of Release of Liens, Affidavit of Subcontractor Payment, and necessary legal documents.

Attached is a copy of the final project Change Order and associated Over/Under sheet. The Over/Under sheet lists the final adjustments to the quantities for each bid item and shows there will be a net decrease of \$697,002.62. This represents a decrease of 23.09% from the original amount bid with change orders. Note that Accadia Site Contracting completed most of the Sanitary Sewer Work.

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

- Approve the final payment and authorize release of the remaining retention for the Burmon Drive Reconstruction Project to Zoladz Construction, 13600 Railroad Street, Alden, New York 14004, in the amount of \$126,626.69.
- Authorize the Town Clerk to release Zoladz Construction's performance security in the amount of \$2,945,704.38.

Respectfully submitted,



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

Attachments

cc: Town Clerk

Town Attorney

File #2014.019,1

[S:\Town Projects\ Burmon Drive Reconstruction 2015 \ Correspondence\ Letter to TB FINAL PAYMENT LETTER Burmon drive Zoladz.doc](#)

Visit the Town

Website at www.orchardparkny.org



TOWN OF ORCHARD PARK

MEMORANDUM

S.4295 SOUTH BUFFALO STREET
ORCHARD PARK, NEW YORK
14127 (716) 662-6432, ext. 2202

DATE: February 14, 2020

TO: Town Clerk, Remy Orffeo
V Kathy Swarbrick
Building Inspector Steve Bremer

FROM: Rose Messina

SUBJECT: Item(s) for February 19, 2020 - TB Agenda

OLD BUSINESS:

At the Planning February 13, 2020 meeting the Board recommended the following:

With regard to 3340 - 3350 Southwestern Boulevard, proposed Mighty Taco Restaurant with a thrive through, located on the north side of Southwestern Boulevard, in "The Commons/Creekside Plaza", Zoned B-1, we recommend to the Town Board that the request for a "Special Exception Use Permit" be **APPROVED**,

Please set a Public Hearing date.

Based on the following:

1. This is an Unlisted SEQR action based on the submitted Full EAF Parts 1 & 2, and a Negative Declaration shall be made.
2. Public Hearing fees must be paid prior to the public hearing, Section 144-69 of the Town Code.
3. Article VI (Section 144-43(c)(1-11)) has been satisfactorily addressed as follows:
 - a. The proposed project is in compliance with the Town's long-range Comprehensive Plan.
 - b. The Applicant has demonstrated a need for the project.
 - c. The project is compatible with adjoining land uses and proposed developments, and will not have a negative impact on the adjacent land value or public safety.
 - d. The applicant has demonstrated an orderly flow of traffic ingress and egress.
 - e. The applicant has provided suitable parking facilities.

Continued on Page two

Page two

- f. Landscaping as indicated on the proposed plan will provide adequate screening.
 - g. Free area for recreation is not required.
 - h. The nearness and impact on schools and utilities is not an issue.
 - i. The health and safety of adjacent properties is not affected.
4. This recommendation is contingent upon the applicant completing the project as proposed on the preliminary development plans received on 01/31/2020 and receiving an Area Variance from the Zoning Board of Appeals. The project shall revert to its original Zoning Classification if the project is not completed per Section 144-67 of the Town Code.

WHEREAS, the Town of Orchard Park has constructed a Community Activity Center on California Road;
and

WHEREAS, the soft opening of the Community Activity Center is scheduled for February 24, 2020; and

WHEREAS, the Community Activity Center is in need of an activities coordinator; and

WHEREAS, the position of Coordinator — Community Activity Center has been advertised and posted;
and

WHEREAS, several candidates were interviewed for the position;

NOW THEREFORE BE IT RESOLVED

THAT Susan Hemingway is appointed to the position of Coordinator — Community Activity Center (Full-Time) at a rate of \$23.08 per hour, Group 4 — non-union effective February 26, 2020.



MEMORANDUM

To: Dawn - Payroll

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RESOLVED, the Town Board does hereby add Patrick J. Keem, Eugene Majchzak, Edward A. Pace, John C. Bailey, Jorge S. deRosa and Lauren A. Kaczor to the corrected standard workday and reporting resolution for Elected and Appointed Officials to the New York State and Local Employees Retirement System based on the record of activities maintained and submitted by the Town Clerk.

Resolution for Budget Amendment —
CAC Donation

WHEREAS, the Recreation and Senior Citizen Departments desire to purchase items in the amount of \$7,123.07 from Gopher, quote number 540331, for the Community Activity Center, and

WHEREAS, the funding for said expenditures was not included in the 2020 Budget, and

WHEREAS, the Community Activity Council of OP has donated \$7,123.07 to cover additional costs, and

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the following amendment to the Town's 2020 budget in the General Fund to accept donations and provide funding for the aforementioned expenditures:

General Fund:

Increase Estimated Revenues:

| | | |
|--------------|---------------|------------|
| A00000 42706 | CAC DONATIONS | \$7,123.07 |
|--------------|---------------|------------|

Increase appropriations:

| | | |
|--------------|--------------------|------------|
| A07180 50419 | CAC OTHER EXPENSES | \$7,123.07 |
|--------------|--------------------|------------|

Resolution for Budget Amendment —
CAC Donation

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WHEREAS, the funding for said expenditures was not included in the 2020 Budget, and

WHEREAS, the Community Activity Council of OP has donated \$7,123.07 to cover additional costs, and

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General Fund:

Increase Estimated Revenues:

| | | |
|--------------|---------------|------------|
| A00000 42706 | CAC DONATIONS | \$7,123.07 |
|--------------|---------------|------------|

Increase appropriations:

| | | |
|--------------|--------------------|------------|
| A07180 50419 | CAC OTHER EXPENSES | \$7,123.07 |
|--------------|--------------------|------------|

WHEREAS, Town of Orchard Park Police Chief E. Joseph Wehrfritz has resigned from the Public Safety Committee and has recommended that Captain Jason Schiedel fill his vacancy; and

WHEREAS, Captain Schiedel is a patrol Captain with a specialty in Vehicle and Traffic laws; NOW THEREFORE be it

RESOLVED that the Town Board accepts, with regret, the resignation of Police Chief E. Joseph Wehrfritz from the Public Safety Committee and appoints Captain Jason Schiedel to the vacancy on the Public Safety Committee with a term to expire on December 31, 2020.

WHEREAS, Town of Orchard Park Police Chief E. Joseph Wehrfritz has resigned from the Youth Court Board and has recommended that Captain Patrick Fitzgerald fill his vacancy; and

WHEREAS, Captain Fitzgerald is in charge of the Detective Bureau and oversees Detective Payne who runs the Youth Court; and

WHEREAS, this appointment will allow Captain Fitzgerald direct supervision over Detective Payne in the execution of his Youth Court Duties;

NOW THEREFORE be it

RESOLVED that the Town Board accepts, with regret, the resignation of Police Chief E. Joseph Wehrfritz from the Youth Court Board and appoints Captain Patrick Fitzgerald to the vacancy on the Youth Court Board with a term to expire on December 31, 2020.

Resolution for Budget Amendment —
Repair of Senior Citizens Van 2020

WHEREAS, the Town's Senior Van was involved in an accident and, and

WHEREAS, the Town did not include the insurance revenue and the appropriations to provide for the repair of the vehicle in the year 2020 adopted budget, and

WHEREAS, the Town does desire to repair the vehicle with insurance

proceeds, NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorize the amending of the 2020 adopted budget to authorize additional appropriations and estimated revenues in the amount of \$2,907.91:

Increase Estimated Revenues:

| | | |
|--------------|-------------------------------------|------------|
| A00000 42680 | General Fund — Insurance Recoveries | \$2,907.91 |
|--------------|-------------------------------------|------------|

Increase Appropriations:

| | | |
|--------------|------------------------------------|------------|
| A07610 50458 | General Fund — Senior Citizens Van | \$2,907.91 |
|--------------|------------------------------------|------------|

Resolution for Budget Amendment —
Highway Insurance Recoveries 2019

WHEREAS, the Town has incurred additional costs for damages that were reimbursed by insurance proceeds, and

WHEREAS, the Town has received the proceeds that were not included in the 2019 budget.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorize the amending of the 2019 adopted budget to authorize additional appropriations and estimated revenues in the amount of \$226.00:

Increase Appropriations:

| | | |
|--------------|---------------------------------|---------|
| A03310 50211 | Traffic Signs | \$83.70 |
| DB5110 50105 | Highway Salaries CSEA Blue | \$92.30 |
| DB5130.50419 | Machinery Other Contractual Exp | \$50.00 |

Increase Estimated Revenues:

| | | |
|--------------|--------------------------------|----------|
| A00000 42680 | General — Insurance Recoveries | \$83.70 |
| DB0000 42680 | Highway — Insurance Recoveries | \$142.30 |

WHEREAS, there is a vacancy on the Ethics Board; and

WHEREAS, it is appropriate and necessary for the Town of Orchard Park to have a fully staffed Ethics Board;

THEREFORE, BE IT

RESOLVED, that the Orchard Park Town Board appoint Robert Benning to the Town Board of Ethics with a term to expire December 31, 2023.



TOWN OF ORCHARD PARK

MEMORANDUM

S.4295 SOUTH BUFFALO STREET
ORCHARD PARK, NEW YORK
14127 (716) 662-6432, ext. 2202

DATE: February 14, 2020

TO: Town Clerk, Remy Orffeo
V Kathy Swarbrick
Building Inspector Steve Bremer

FROM: Rose Messina

SUBJECT: Item(s) for February 19, 2020 - TB Agenda

NEW BUSINESS:

Please refer the following to Planning & Conservation Boards for review.

1. 5200 Chestnut Ridge Road, located on the west side of Chestnut Ridge Road, south of Armor Duells Road, Zoned Senior Residential "SR District". Orchard Heights is requesting to expand their existing facility on the southwest corner of the site with a 2-story, 32-Unit Independent Living Apartment Building with onsite utility improvements and additional parking spaces. (SBL#184.08-1-1.1)

TOWN OF ORCHARD PARK

BUILDING INSPECTOR MONTHLY REPORT

MONTH OF JANUARY 2020

| BUILDING PERMITS | # OF | VALUE | BUILDING PERMITS | # OF | VALUE |
|------------------------|------|---------|---------------------------|------|--------------|
| NEW CONSTRUCTION: | | | ABOVE GROUND POOLS | 1 | 2,600 |
| SINGLE DWELLING | 2 | 641,000 | INGROUND POOLS | | |
| DOUBLE DWELLING | | | DECKS | 1 | 4,309 |
| APT/MULTI-FAMILY | | | ELECTRICAL | 6 | 11,185 |
| COMMERCIAL | | | FENCES | 1 | 3,000 |
| ADDITIONS: | | | GARAGE / BARN / POLE BARN | 1 | 5,000 |
| RESIDENTIAL | | | GENERATORS | 15 | 108,598 |
| COMMERCIAL | | | MISC. | 3 | 47,100 |
| ALTER/REPAIR: | | | SHEDS | 1 | 4,100 |
| RESIDENTIAL | 9 | 153,941 | SIGNS | 5 | 18,375 |
| COMMERCIAL / TENANT BO | 8 | 480,229 | SOLAR PV SYSTEM | | |
| | | | TOTAL: | 53 | 1,479,437.00 |

| INSPECTIONS TYPE: | NUMBER OF INSPECTIONS PER ZONE | | | | TOTAL |
|-----------------------|--------------------------------|----|----|-----|-------|
| | 1 | 2 | 3 | 4 | |
| NEW CONSTRUCTION: | | | | | |
| RESIDENTIAL | 2 | 6 | 12 | 16 | 36 |
| COMMERCIAL | | | | | |
| ADDITIONS: | | | | | |
| RESIDENTIAL | 2 | 3 | 2 | 2 | 9 |
| COMMERCIAL | | | 3 | 6 | 9 |
| ALTER/REPAIR: | | | | | |
| RESIDENTIAL | 4 | 3 | 10 | 6 | 23 |
| COMMERCIAL / TENANT | 1 | 1 | 2 | 15 | 19 |
| ABOVE GROUND POOLS | | | | | |
| INGROUND POOLS | | | | | |
| DECKS | | 1 | | 1 | 2 |
| ELECTRICAL | 1 | 5 | 6 | 4 | 16 |
| FENCES | 11 | 4 | | 1 | 16 |
| GARAGE/BARN/POLE BARN | 1 | 1 | | | 2 |
| GENERATORS | 5 | 9 | 4 | 3 | 21 |
| MISC. | 1 | 3 | 13 | 11 | 28 |
| PROPERTY MAINTANICE | 1 | 7 | 3 | 8 | 19 |
| SHEDS | 2 | | | 1 | 3 |
| SIGNS | | | 4 | 22 | 26 |
| SOLAR PV SYSTEM | | | | | |
| FIRE INSPECTIONS | | 6 | 16 | 18 | 40 |
| CLOSEOUT INSPECTIONS | | | | | |
| TOTAL INSPECTIONS: | 31 | 49 | 75 | 114 | 269 |

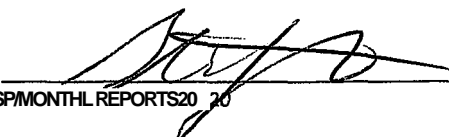
| Meetings Attended | Town Board | Planning Board | Z B A | Court |
|-------------------|------------|----------------|-------|-------|
| Steven Bremer | 3 | 1 | | |
| David Holland | | | 1 | |
| John Wittmann | | | | 2 |
| Tom Minor | | | | |
| Rayne Degre | | | | |

GRANTED: 1

DENIED: 0

REMARKS:

SIGNATURE:



DATE: e / /