



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.

September 15, 2020

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

Re: Proposed Change Order #17
Javen General Contract Punch List & Design Changes
Brush Mountain Community Activity Center

Dear Board Members:

During the punch list and close out process for the Brush Mountain Community Activity Center, a number of smaller, yet critical items were discovered to be deficient or in need of attention. Two punch list items include the painting of the interior conduit and the installation of the magnetic door security locks (maglocks). One close out item in need of attention is a claim made by Javen for reimbursement of blocking required for the mounting of exterior fixtures and security cameras supplied by IPL.

After months of discussions and negotiations between Javen, IPL, Wendel, and the Town, all parties have come to mutually acceptable terms. Javen and IPL have agreed to split the cost of both the interior conduit painting and exterior fixture supports. The Maglocks will be address in IPL's change order.

This change order reflects the 50% contribution from IPL to Javen for the painting (\$5,547.76) and blocking (\$5,723.27). The total amount of \$11,271.03 will be deducted from IPL's contract. It is important to note that work has already been completed by Javen as directed by Wendel and the Engineering Department. This change order is a resolution for a dispute between two prime contractors.

If approved, this change order will increase Javen's total contract to \$12,776,236.40, representing a 0.09% increase.

There is currently funding allocated under capital projects AB004 Brush Mountain Community Activity Center Building for this project work. However, the entire amount will be deducted from IPL's contract.

I, therefore, recommend that you approve change order #17 to our contract with Javen Construction Co., Inc., 2575 Baird Road, Penfield, NY 14526 for interior conduit painting and exterior fixture support work previously completed in an amount of \$11,271.03 for the Brush Mountain Community Activity Center Project.

Respectfully submitted,

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

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



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TOWN ENGINEER
WAYNE L. BIELER, P.E.

September 15, 2020

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

Re: Proposed Change Order #12
IPL Electrical Contract Punch List & Design Changes
Brush Mountain Community Activity Center

Dear Board Members:

During the punch list and close out process for the Brush Mountain Community Activity Center, a number of smaller, yet critical items were discovered to be deficient or in need of attention. Two punch list items include the painting of the interior conduit and the installation of the magnetic door security locks (maglocks). One close out item in need of attention is a claim made by Javen for reimbursement of blocking required for the mounting of exterior fixtures and security cameras supplied by IPL.

After months of discussions and negotiations between Javen, IPL, Wendel, and the Town, all parties have come to mutually acceptable terms. Javen and IPL have agreed to split the cost of both the interior conduit painting and exterior fixture supports. The Maglocks, although shown on the plans, were not specifically and clearly called out to be supplied separate from the door hardware. The agreement reached with IPL concludes that the locks will be supplied and installed by IPL and the cost will be split equally between Wendel, IPL, and the Town.

This change order reflects the 50% contribution from IPL to Javen for the painting (\$5,547.76) and blocking (\$5,723.27). The total amount of \$11,271.03 being deducted from IPL's contract. The total amount of the Maglocks is \$6,715.80. The amount included in this change order is \$4,477.20, representing both Wendel's and the Town's contribution of \$2,238.60 each.

If approved, this change order will decrease IPL's total contract to \$1,933,922.72 representing a 0.35% decrease.

I, therefore, recommend that you approve change order #12 to our contract with Industrial Power & Lighting Corporation, 60 Depot St, Buffalo, NY 14206 for the deduction of monies for interior conduit painting and exterior fixture support work completed, and the installation of the maglocks in an amount of \$6,793.83 for the Brush Mountain Community Activity Center Project.

Respectfully submitted,

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

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



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September 15, 2020

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

**Re: Release of Stone Access Road Escrow
Shadow Lane Extension; PIP #2019-01**

Dear Board Members:

On May 6, 2020, the Town Board accepted dedication of the public improvements constructed in the above referenced road extension with the stipulation that an escrow in the amount of \$90,000 be held until the installation of a public stoned sanitary mainline easement access road per plan on the north side of Shadow Lane was completed.

The Contractor has since completed the above referenced work. The work was inspected by the Engineering Department and found to be in compliance with Town specifications.

I, therefore, recommend that you authorize the Town Clerk to release, \$90,000 held in escrow under PIP 2019-01 for the completion of the public stoned sanitary mainline easement access road on the north side of Shadow Lane for the Shadow Lane Extension, PIP #2019-01 to Andrew Romanowski, Oak Grove Holdings, LLC, 4727 Camp Road, Hamburg, New York 14075.

Respectfully submitted,

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

Cc: Town Clerk

File #07.007.2



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TOWN ENGINEER
WAYNE L. BIELER, P.E.

September 15, 2020

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

**Re: Woodhaven Road Excavation, Removal and Storage of Materials
Permit #2016-02 Request for 1-Year Extension**

Dear Board Members:

We have received from Zoladz Construction Co., Inc. of 13600 Railroad Street, Alden, New York 14004-0157 a request (attached) to renew their application for Excavation, Removal, and Storage of Materials to fill (approximately 45,000 cubic yards of soil) for the vacant property at the end of Woodhaven Road for future development of the property to extend Woodhaven Road into Diller Drive.

I have reviewed the request and have found it acceptable per Town code. All necessary insurances have been updated and are acceptable, and the required bonds are still in place.

I, therefore, recommend approval of the 1-year extension of the Woodhaven Road Excavation, Removal, and Storage of Materials Permit #2016-02 to fill the vacant property at the end of Woodhaven Road.

Respectfully submitted,

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

Attachment

cc: Town Clerk
Building Inspector
File #16.006
Town Attorney
Zoladz Construction

S:\Subdivisions\Woodhaven Excavation - Fill Permit\Letter TB to request 4th RENEWAL of the excavation fill permit 2016-02.doc

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

TC

PROCLAMATION

TOWN of ORCHARD PARK

Date September 11, 2020

Whereas, The Town of Orchard Park has always supported its military population; and

Whereas, the Purple Heart is the oldest military decoration in present use and was initially created as the Badge of Military Merit by General George Washington in 1782; and

Whereas, was the first American service award or decoration made available to the common soldier and is specifically awarded to members of all United States Armed Forces who have been wounded or paid the ultimate sacrifice in combat with a declared enemy of the United States of America; and

Whereas, the mission of the Military Order of the Purple Heart is to Honor those who were killed during wartime, foster an environment of goodwill among combat wounded members and their families, promote patriotism, support legislative initiatives and most importantly-make sure we never forget the many decorated soldiers and veterans including Purple Heart recipients; and

Whereas, The TOWN of ORCHARD PARK honors the sacrifices all Purple Heart recipients who defended our freedoms and believes it is important that we acknowledge them for their courage and show them the honor and support they have earned.

Now therefore, we do hereby proclaim The TOWN of ORCHARD PARK to be designated as a
PURPLE HEART DESIGNATED TOWN

The TOWN of ORCHARD PARK shows their appreciation for the sacrifices of Purple Heart Recipients as more than a million military personnel have been killed and millions more have been wounded in combat defending the principals and freedoms of our great Nation of AMERICA.

In witness whereof, I have hereunto placed my hand

Signature _____

Date _____

SUPERVISOR PATRICK KEEM

RESOLUTION

WHEREAS, the Town of Orchard Park has passed a resolution suspending the issuance of commercial satellite parking permits, and

WHEREAS, the Town of Orchard Park wishes to lift that suspension to allow tailgating in those lots and further to create a new "operational permit" to allow established restaurants and bars that want to provide additional seating in their parking lots for a similar purpose, and

WHEREAS, the Town of Orchard Park wishes to extend the new "operational permit" requirement to residents living within the identified stadium satellite parking area as identified in §114-12(A) to allow tailgating at individual residences,

NOW THEREFORE BE IT RESOLVED that:

1. The suspension of the granting of commercial satellite parking permits is hereby lifted, and
2. Commercial satellite parking lots may again apply for Town of Orchard Park permits but must simultaneously submit a safety plan that specifically outlines how they will monitor hygiene and safety, and
3. Established bars and restaurants may apply for a Town of Orchard Park "operational permit" and must simultaneously submit a safety plan that specifically outlines how they will monitor hygiene and safety, and
4. Residents that want to park vehicles within the stadium satellite parking area identified above must apply to the Town of Orchard Park for an "operational permit" and must simultaneously submit a safety plan that specifically outlines how they will monitor hygiene and safety, and
5. The Town Board will review these applications and health and safety plans which must be drawn according to Governor Cuomo's NYS Business Reopening Safety Plan Template, and the Town of Orchard Park Board will have the sole authority to reject or approve these permits and the accompanying safety plan.

6. The Orchard Park Police Department will monitor these facilities and gather video and photographic evidence of compliance to be turned over to the Building Inspector who will revoke any permit, parking or operational, on the first instance of violating any aspect of the submitted safety plan.
7. Permit fees paid to the Town of Orchard Park will be non-refundable under any circumstance.

TC

RESOLVED, that the Town Board does hereby re-appoint John McCarthy to the Board of Assessment Review with a term to expire September 30, 2025.

JC

RESOLUTION

WHEREAS, the Town of Orchard Park Department of Parks and Grounds has a need for services of a tree stump grinder, and

WHEREAS, the Town of Orchard Park has sent out bid requests to provide this service, and

NOW, THEREFORE, BE IT RESOLVED that:

- 1) The Town of Orchard Park awards the Department of Parks and Grounds stump grinding contract to Michael Spahn, DBA Avalon Services.



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TOWN ENGINEER
WAYNE L. BIELER, P.E.

September 15, 2020

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

**Re: 2020 Fall/Winter Help
Engineering Department**

Dear Board Members:

Funds have been allocated in the 2020 budget for seasonal help in the Engineering Department. With the current work load, vacations, and medical leaves (FMLA), the Engineering Department is requesting additional help. Matt Deubell, an Ormsby graduate from the CADD program currently working toward an ECC CADD Associate degree is interested in working for the Town again. Matt worked with the department over the 2019 summer/ and part time last 2020 year during the winter and was an asset to the team.

I, therefore, recommend that you approve Matt Duebell, 1240 Rice Road, Elma, New York 14059 to a seasonal position in the Engineering Department starting September 21, 2012 for an 18 week period, while he is on break from college, at a wage rate of \$13.00 per hour.

Respectfully submitted,

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

cc: Town Clerk
Dawn Whalend, Personnel
Matt Duebell
File

H:\Employment -Engineering\Employees\Past Employees\Duebell Matt\Letter to TB
re. Winter 2020 Employment Matt Duebell.doc

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



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TOWN ENGINEER
WAYNE L. BIELER, P.E.

September 9, 2020

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

Re: Scheduling of Public Hearing
2021-2022 Community Development Block Grant Funds

Dear Board Members:

In order to be eligible to continue to receive Community Development Block Grant funds through the Erie County CDBG Consortium, the Town of Orchard Park is required to conduct a public hearing to provide citizens the opportunity for input into the project selection process. Project applications are due near the end of October.

Prior to the hearing, the Engineering Department will prepare an information packet which will describe the CDBG program, a list of previous HUD funded projects in our Town, and a list of potential projects to be considered for next year's funding applications.

I, therefore, recommend that you schedule a public hearing for Wednesday, October 7, 2020 at 7:00 PM on the possible use of 2021-2022 Community Development Block Grant Funds.

Respectfully submitted,

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

Attachment

cc: Town Clerk
File

S:\Town Projects\CD Funds\2021-2022\Letter TB re. 2021-2022 Public Hearing.doc

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

BUILDING PERMITS	# OF	VALUE	BUILDING PERMITS	# OF	VALUE
NEW CONSTRUCTION:			ABOVE GROUND POOLS	5	15,490
SINGLE DWELLING			INGROUND POOLS	7	255,150
DOUBLE DWELLING	2	620,000	DECKS	4	47,200
APT/MULTI-FAMILY			ELECTRICAL	10	25,000
COMMERCIAL			FENCES	10	50,032
ADDITIONS:			GARAGE / BARN / POLE BARN	2	35,100
RESIDENTIAL	5	255,000	GENERATORS	15	168,323
COMMERCIAL			MISC.	3	21,100
ALTER/REPAIR:			PORCH/PATIO	3	31,500
RESIDENTIAL	17	217,910	SHEDS	11	76,995
COMMERCIAL / TENANT BO	6	338,400	SIGNS	4	18,600
SOLAR PV SYSTEM	1	4,300	TOTAL:	105	2,180,180

INSPECTIONS TYPE:	NUMBER OF INSPECTIONS PER ZONE				TOTAL
	1	2	3	4	
NEW CONSTRUCTION:					
RESIDENTIAL	13	6	3	7	29
COMMERCIAL					
ADDITIONS:					
RESIDENTIAL	7	6	2	6	21
COMMERCIAL				1	1
ALTER/REPAIR:					
RESIDENTIAL	3	6	4	6	19
COMMERCIAL / TENANT BO		1	2	3	6
ABOVE GROUND POOLS	1		1	2	4
INGROUND POOLS	4	6	4	4	18
DECKS	5	5	4	7	21
ELECTRICAL SERVICE	6	3	4	3	16
FENCES	1	1	2	3	7
GARAGE/BARN/POLE BARN	6		1	1	8
GENERATORS	6	2	3	4	15
MISC.	8	6	12	8	34
PROPERTY MAINTANICE	1	3	4	14	22
SHEDS	3	2	2	3	10
SIGNS			4	4	8
SOLAR PV SYSTEM	2	1			3
FIRE INSPECTIONS		2	11	12	25
CLOSEOUT INSPECTIONS					
TOTAL INSPECTIONS:	66	50	63	88	267

Meetings Attended	Town Board	Planning Board	Z B A	Court
Steven Bremer	4	1		
David Holland			1	
John Wittmann				3
Tom Minor				
Rayne Degre				

ZONING BOARD OF APPEALS:

GRANTED: 4

DENIED: 2

REMARKS:

SIGNATURE: _____



DATE: _____

9/14/20