



TC

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.

August 2, 2021

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

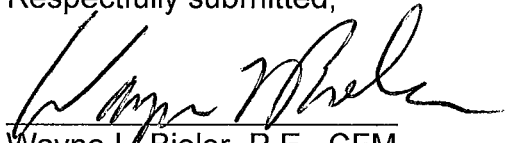
**Re: Change Order #2
Short Liner, California Road
Cured-In-Place Pipe Lining Contract – Work Order #2**

Dear Board Members:

The Engineering Department is requesting your approval of Change Order #2 to the Contract with United Survey, Inc. for Work Order #2, Cured-In-Place Sanitary Sewer Liner in the amount of \$3,750.00. If approved, this would increase the total amount to Work Order #2 to \$181,175.00 and an increase to the total contract amount \$515,000.00 representing an increase of 0.73%. This Change Order covers the cost for United Survey to install one additional short liner on California Road due to infiltration near MH 10129.

I, therefore, recommend that you approve Change Order #2 to Work Order #2 to include an additional short liner on California Road, to reduce infiltration with Work Order #2 for the CIPP Rehabilitation Contract with United Survey, Inc., 25145 Broadway Ave, Cleveland, Ohio 44146, in the amount not to exceed \$3,750.00.

Respectfully submitted,



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

Attachment

cc: Remy Orffeo, Town Clerk
Tom Malecki, Drescher & Malecki
Mike Kerl, United Survey, Inc.

Timothy Gallagher, Town Attorney
Andy Slotman, General Crew Chief
File # 2020.014



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TOWN ENGINEER
WAYNE L. BIELER, P.E.

August 3, 2021

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

Re: *Re-Advertisement for Bids*
Bussendorfer Road Watermain Replacement Project

Dear Board Members:

The Orchard Park Engineering Department, along with DiDonato Engineering & Architectural Professionals, finalized design plans, specifications, bid documents and necessary approvals for construction of the above-mentioned project. The replacement of the Bussendorfer Road Watermain was requested by ECWA do to extensive leaks/repairs and is needed at the drainage crossing to avoid conflicts with the proposed storm pipe for Bussendorfer Drainage Improvement Project. The watermain is essential to providing continued, uninterrupted water service to the serviced area.

The project includes replacing an older 3070 LF section of 6 inch watermain on Bussendorfer Road from Abbott Road to the road bend and existing 8 inch watermain. Installation is located in the south driving lane due to existing utility conflicts and the limited right-of-way. New services connections, hydrants, and valves will be installed. Alternate #1 is also included, micro paving the entire road section surface after open cuts are patched since the project was oil and chipped by OP Highway this spring. This replaced the milling and overlay paving alternate as mentioned at the capital projects meeting.

In order to keep the project on schedule, the Advertisement for Bids should be authorized to be published on August 5, 2021. Plans and specifications will be available for purchase on August 18, 2021 with the bid opening to be held on September 30, 2021 at 2:00 pm in the basement meeting room. The necessary work could begin in early March and is anticipated to be completed by May 28, 2022 as a result of contractors being busy this fall.

I, therefore, recommend that you accept the plans and specifications as proposed by DiDonato Engineering & Architectural Professionals and the Town Engineering Department, and authorize re-advertisement in the Orchard Park Bee for sealed bids for the Bussendorfer Watermain Replacement Project.

Respectfully submitted,

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

Attachment

cc: Remy Orfeo, Town Clerk Timothy Gallagher, Town Attorney Andy Slotman, SW&L
Fred Piasecki, OP Hwy Supt Leonard F. Kowalski, PE, ECWA File # 2002.030.3

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

WHEREAS, the Community Activity Center needs to acquire game equipment to create and operate a game room, and

WHEREAS, the Orchard Park Community Activity Council is ready and willing to donate the sum of \$7,251.10 to the Town of Orchard Park to acquire these games, and

WHEREAS, the Town of Orchard Park is ready and willing to accept the donation from the Orchard Park Community Activity Council in the above amount,

NOW, THEREFORE be it

RESOLVED, that the Town of Orchard Park accepts the Orchard Park Community Activity Council donation of \$7,251.10 for the purchase of games to be installed and used at the Community Activity Center.

Whereas the Town of Orchard Park wishes to update the parameters for compensating its Chief of Police,

NOW, THEREFORE, BE IT RESOLVED that:

Effective August 7, 2021

- I. 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. In each succeeding year, the aforementioned percent greater salary of the Chief of Police shall remain in effect. The salary anticipates a minimum of a five-day, forty-hour workweek.

- II. Additional compensation for the Chief of Police shall include:
 - a. Longevity shall be at 11% of the current salary established in this resolution.
 - b. The Chief of Police shall follow the newly established sick leave accruals as defined in the PBA collective bargaining agreement.
 - c. For all other benefits; [vacation, holidays, personal leave, 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], the Chief will receive, 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.

WHEREAS, the New York State Local Government Information Technology Directors Association Fall Conference is being held from October 5, 2021 through October 8, 2021, and

WHEREAS, the event is all-inclusive (meals and lodging) for a discounted rate of \$100.00, and

WHEREAS, the conference will allow the town's IT Department to become more aware of current and future cyber security issues and how they affect our town, and

WHEREAS, the cost will be covered by the IT Department's training budget,

NOW THEREFORE be it

RESOLVED, that Paul Pepero, Director of IT is authorized to attend the 2021 New York State Local Government Information Technology Directors Association Fall Conference from October 5, 2021 through October 8, 2021.

TC



TOWN OF ORCHARD PARK

S 4295 Buffalo Street □ Orchard Park, New York 14127

WLM **MEMORANDUM**

To: Honorable Town Board
From: Wayne L. Bieler, P.E., CFM Town Engineer
Date: July 30, 2021
Subject: Budget Transfer – Engineering Department

I request that you authorize the following budget transfer within the 2020 Budget due to the vehicle repairs needed on the Engineering Department's 2013 F150 Truck:

\$ 159.95

From: Budget Code: A01440 50400
(Engineering Office Supplies)

To: Budget Code: A01440 50445
(Vehicle Repair)

cc: Remy Orfeo, Town Clerk
Tricia Jurek, Accounting
Drescher & Malecki LLP
File

TC

Town of Orchard Park
Recreation, Parks, and Forestry Department
 4520 California Rd
 Orchard Park NY 14127
leake@orchardparkny.org (716) 662-6450 ext.1

6/16/21

To: Town Board
 From: Ed Leak
 Director of Recreation

Item 1: Appointment to the staff of the Town of Orchard Park Recreation Department summer seasonal for 2021, and PT fall, staffing for 2021, effective 8/14/21.

Zoe Aylsworth	\$14.00	PT6-B (LG)
Anthony Amoia	\$15.00	PT6-D (Att)
Jody Burnard	\$17.00	PT7-E (Att)
Cooper Carlson	\$14.00	PT6-B (LG)
Luke Flading	\$14.00	PT6-B (LG)
Ellexis Henning	\$14.00	PT6-B (LG)
Brandon Hoth	\$15.00	PT6-D (Att)
Catherine Lesh	\$14.00	PT6-B (LG)
Amy Masciale	\$16.00	PT7-C Att)
Jared Sokolik	\$14.00	PT6-B (LG)
Rebecca Roe	\$16.00	PT6-D (Att)
Sara Ruszczyk	\$15.00	PT6-D (Att)
Carmila Stafford	\$16.00	PT7-C (Att)
Corissa Wagner	\$15.00	PT6-D (Att)
Anndea Zeigler	\$15.00	PT6-D (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.

August 2, 2021

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

**Re: Advertisement for Bids
Little Loop Football – Electrical (Field Lights, Scoreboard, Flagpole)**

Dear Board Members:

The Orchard Park Engineering Department and C&S Companies are finalizing design plans and specifications for construction of the above-mentioned project. The electrical contract for the service and site work will be released now and the announcer's booth will be released in the near future when funding becomes available. The electrical contract includes a new NYSEG power pole, service and meter set. Then power will be run to the temporary power shed. From the shed the six field lights, scoreboard and flag pole light will be feed.

The announcers' booth can be built in the future with very minor changes to the electrical work in this contract. The conduits will be placed in their permanent building position. Future work involves loosening the conduits and panel from the shed wall, removing the power shed, framing the foundation walls around the conduits and pouring the concrete. Once the building is constructed then the conduits and panel can be permanently mounted to the announcer's booth wall.

The O.P. Little Loop is currently utilizing the new field. The volunteer has not completed the pole installations to date, this work is included as alternate #1 work scope if not done before award of project. The electrical work must be completed ASAP in order for it to be utilized during the fall of 2021. Therefore, the Advertisement for Bids should be authorized to be published on August 5, 2021. Plans and specifications will be available for purchase on August 6, 2021 with the bid opening to be held on August 16, 2021 and award on August 18, 2021.

I, therefore, recommend that you authorize advertisement in the Orchard Park Bee for sealed bids to be received and opened for the Brush Mountain Little Loop Football Field Electrical Project at 2:00 pm on August 16, 2021 in the basement conference room at the Orchard Park Municipal Center.

Respectfully submitted,

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

Attachment



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.

August 2, 2021

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

**Re: Surplus Vehicle (Age & Costly Repairs)
Purchase New Truck 2021 - Assignment to Engineering Department Inspector**

Dear Board Members:

The Sewer & Lighting Department has a vehicle used by the summer help that is experiencing repair issues much more often, is badly rusted, and questionable to pass inspection. The vehicle is a 2007 Chevrolet 1500 Pickup with over 88,000 miles. The truck has already had numerous repairs and is 14 years old.

The truck runs and is drivable so sending it to public auction would most likely be in the Town's best interest.

The Engineering Department would keep the 2021 F150 and use it for numerous field complaint/inspection work and various construction inspections that are required with several subdivisions that are currently under construction. The Engineering Department would transfer its oldest truck (2012 F150, with 63,195 miles) to the Sewer & Lighting Department to be used as the summer help vehicle.

The funds are already in the budget for this year; #AO1440-50200 Engineering Equipment \$12,701.00 and #WS8346 50200 Water, Sewer and Lighting General Equipment \$12,701.00 = \$25,402.00.

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

- Declare the 2007 Chevrolet Pickup (VIN#2GCEC190771580495) as a surplus vehicle, and authorize the sale of this vehicle.
- Authorize the purchase of a new 2021 Ford F150 from DeLacy Ford under State/County Bid for \$25,402.00 for the Orchard Park Engineering Department.

Very truly yours,

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

cc: Remy Orffeo, Town Clerk
Andy Slotman, OP Sewer & Lighting

Tom Malecki, Drescher & Malecki
File

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TOWN ENGINEER
WAYNE L. BIELER, P.E.

August 2, 2021

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

**Re: Application for Excavation Permit (#2021-03)
Excavation Work associated with Pond Construction at 7813 Behm Road**

Dear Board Members:

We have received, from Justin Brand, an application for an Excavation Permit to excavate a decorative pond for his home at 7813 Behm Road.

I have reviewed the plans and have found them to be acceptable. All necessary fees have been paid. This permit excludes the provisions under Town Code 144-26.D. and P (erecting corner posts with signage and construction fencing), because of conflicts with other Town Code. As stated, the code committee will be updating codes and creating a small & large (+1ac) Permit requirements.

I, therefore, recommend that you approve the application for the Excavation Permit to excavate a decorative pond for the Justin Brand residence at 7813 Behm Road.

Respectfully submitted,

Wayne L. Bieler, P.E.
Town Engineer

Attachments

cc: Remy Orffeo, Town Clerk
Timothy Gallagher, Town Attorney
Steve Bremer, Building Inspector
File #2021.011

TC

AGREEMENT

AGREEMENT made this ____ day of August 2021 by and between

TOWN OF ORCHARD PARK, a Municipal Corporation
S4295 South Buffalo Street
Orchard Park, New York 14127

Hereinafter referred to as "Orchard Park", and

TOWN OF AURORA, a Municipal Corporation
575 Oakwood Avenue
East Aurora, New York 14052

Hereinafter referred to as "Aurora".

WHEREAS, Orchard Park operates a compost site located at 6909 Milestrip Road in the Town of Orchard Park, and

WHEREAS, Aurora wishes to utilize the services of the compost site.

THEREFORE, IT IS AGREED BY ORCHARD PARK AND AURORA AS FOLLOWS:

1. **Facilities:** Aurora shall be authorized to deliver to, and Orchard Park shall accept for composting at the compost sites at 6909 Milestrip Road, Orchard Park, New York, all brush, leaves, tree trimming, tree trunks, etc. delivered by Aurora during normal business hours. All materials delivered to the compost site must be clean with no grass accepted. Final determination as to whether materials are acceptable shall be made by the Compost Manager but cannot be unreasonably denied.
2. **Term:** This Agreement shall be in effect from January 1, 2022 through December 31, 2024
3. **Payment for Services:** Aurora hereby agrees to pay to Orchard Park for the aforementioned services provided under this agreement, the sum of Twelve Thousand Five Hundred Dollars (\$12,500) for the year 2022, Thirteen Thousand Dollars (\$13,000)

for the year 2023, and Thirteen Thousand, Five Hundred Dollars (\$13,500) for the year 2024. Payments due on or before January 31st each year.

4. Purchase of Mulch: For this Three year contract (2022, 2023, and 2024), Orchard Park shall provide mulch at the same grade and under the same terms to all residents of Aurora as to the residents of Orchard Park. Proof of residency (Driver's License or other similar identification document) shall be required. Payment shall be by check only, payable to the "Town of Orchard Park." For the avoidance of doubt, Orchard Park understands that Aurora residents may not have "East Aurora" or "Aurora" listed as their mailing address on driver's licenses. Orchard Park shall accept a reasonable amount of brush, leaves, tree trimmings and tree trunks from residents of Aurora under the same terms as from residents of Orchard Park. For the avoidance of doubt, Aurora shall be entitled to place information on its official town website and/or otherwise inform its residents regarding the mulch services provided by Orchard Park to Aurora residents.
5. Arbitration: Shall any dispute arise between the parties regarding the terms of this Agreement, the disputed matter shall be settled by arbitration, in accordance with the laws of the State of New York.
6. General Liability y Insurance: Both Orchard Park and Aurora agree to keep in full force and effect as part of its general liability insurance relative to this Agreement with each policy designating the other party as an additional insured.
7. Assignment: This Agreement cannot be assigned without the written consent of both parties.
8. Amendments: This Agreement constitutes the complete understanding of the parties. No modification of any provisions thereof shall be valid unless in writing and signed by both parties.
9. Notices: Any and all notices and payments required hereunder shall be addressed as hereinbefore reference of to such other address as may hereinafter be designated.
10. Headings: Headings in this Agreement are for convenience only and shall not be used to interpret or construe its provisions.
11. Counterparts: This Agreement may be executed in two or more counterparts, each of which will be deemed an original but all of which together shall constitute one and the same instrument.
12. Orchard Park represents and warrants that the Deputy Supervisor of Orchard Park has executed this Agreement pursuant to a Resolution adopted by the Town Board at a meeting thereof held on the ____ day of August, 2021. The Deputy Supervisor, whose signature appears hereafter, is duly authorized and empowered to execute this Agreement and enter into such Agreement on behalf of Orchard Park.
13. Aurora represents and warrants that the Supervisor of Aurora has executed this Agreement pursuant to a Resolution adopted by the Town Board at a meeting thereof held on the ____ day of August, 2021. The Supervisor, whose signature appears hereafter, is duly authorized and empowered to execute this Agreement and enter into such Agreement on behalf of Aurora.



**TOWN OF
ORCHARD PARK**

MEMORANDUM

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

DATE: August 2, 2021

TO: Town Clerk, Remy Orffeo
Deputy Town Clerk, Jennifer Brady
Building Inspector Steve Bremer

FROM: Rose Messina

SUBJECT: Item(s) for August 4, 2021 - TB Agenda

NEW BUSINESS:

Please refer the following to the Planning and Conservation Boards for review & recommendation:

1. V/L located on the west side of Burton Road at Powers Road, Zoned R-2 and A-1. "Cornell Cooperative Extension of Erie County" (CCE) is requesting to construct an Educational Facility with an Agricultural Campus, including associated Site and Utility improvements, (SBL#184.15-1-5.13)
2. V/L on Webster Road, located on the south side of Webster Road, west of North Buffalo Road. "Prodigy Webster Road, LLC", is requesting to Rezone this parcel from R-3 to B-3, for the purpose of constructing an annex building and parking lot for Wayland Brewery. (SBL#161.00-3-28.1)
3. "Sign Works" is requesting to modify an existing approved Site Plan for 3946 Southwestern Boulevard, located on the north side of Southwestern Boulevard, west of Abbott Road. (SBL#160.12-3-21)

PUBLIC NOTICE

PLEASE TAKE NOTICE that a Public Hearing will be held by the Town Board of the Town of Orchard Park, on August 4, 2021 at 7:00 PM (local time) at the Orchard Park Municipal Center, S4295 South Buffalo Street, Orchard Park New York 14127, regarding Local Law 2 for the Year 2021. This local law provides as follows:

Amending Chapter 144-29 A (4)(5) "Automotive facilities; parking" as follows:

§ 144-29 A (4)(5) Automotive facilities; parking.

(4) Vehicle parking shall be prohibited in the front yard of B Commercial or in any area set forward of a building when the majority of the building front is at a greater setback than the front line of the building. Parking in the front yard shall be permitted in a business or shopping center in the B1 Zone, but not in that area extending the full width of the lot and situated between the street line and the line parallel to the street line a distance of at least 50 feet. [Amended 11-20-1996; 4-27-2011 by L.L. No. 1-2011]

(5) Vehicle parking areas in D-R Development and Research Zones and I industrial Zones shall be as approved by the Planning Board. [Added 7-15-1987]

Remy C. Orffeo
Town Clerk
July 22, 2021

PUBLIC NOTICE

PLEASE TAKE NOTICE that a Public Hearing will be held by the Town Board of the Town of Orchard Park, on August 4, 2021 at 7:00 PM (local time) at the Orchard Park Municipal Center, S4295 South Buffalo Street, Orchard Park New York 14127, regarding Local Law 1 for the year 2021. This local law provides as follows:

Town of Orchard Park to over-ride the tax levy limit established in General Municipal Law §3-c

Section 1: Legislative Intent

It is the intent of this local law to allow the Town of Orchard Park to adopt a budget for the fiscal year commencing January 1, 2022 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c.

Section 2: Authority

This local law is adopted pursuant to subdivision 5 of the General Municipal Law §3-c, which expressly authorizes a local government's governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3: Tax Levy Limit Override

The Town Board of the Town of Orchard Park, County of Erie, is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2022 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

July 22, 2021
Remy C. Orffeo
Town Clerk