

PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Orchard Park, Erie County, New York, at the Municipal Building, S4295 South Buffalo Street Orchard Park, New York 14127, on February 16, 2022 at 7:00 PM (local time), regarding a proposed Local Law 1 for the Year 2022. At such time all interested persons will be given an opportunity to be heard. This local law provides as follows:

TOWN OF ORCHARD PARK PROPOSED LOCAL LAW 1 OF THE YEAR 2022

Local Law 1 of 2022 of the Town of Orchard Park to Amend § 120-5.1 Snow removal prohibitions, as follows:

Be it enacted by the Town Board of the Town of Orchard Park
§ 120-5.1 – Snow & Ice Removal.

Snow & Ice Removal

- A. Accumulation of Snow and Ice on Sidewalks.** It shall be unlawful for any owner of property adjoining a sidewalk in the Town to permit three (3") inches of snow or ice to remain upon such sidewalk. Snow or ice must be removed from the entire width of the sidewalk to accommodate pedestrians, wheelchairs and strollers.
- B. Accumulation of Snow or Ice on Buildings adjacent to Sidewalks or Streets.** It shall be unlawful for any owner of a building adjacent to a sidewalk or street, to permit snow or ice, to accumulate upon any building where it may pose a safety hazard to persons on any sidewalk, street or public space in the Town, and it shall also be unlawful for any person to permit snow, ice or water to fall from such building upon any street or sidewalk creating a hazardous condition.
- C. Depositing Snow & Ice on Streets or Sidewalks.** It shall be unlawful for any employee, contractor or owner of property adjoining a sidewalk, street or public space in the Town, to deposit snow or ice from private property onto public property, including sidewalks streets or other public space in the Town.
- D. Performance of work by the Town; assessment of costs.** Upon due notice, should the owner of any building fail to remove any hazardous snow or ice from the sidewalk or from the building within 24 hours of the end of a snow event, the Town may remedy the abatement of such condition, and the total cost thereof shall be assessed upon the real property on which the hazardous condition is found. Such cost shall constitute a lien and charge on the real property on which it is levied until paid or otherwise satisfied or discharged and shall be collected in the manner provided by law for the collection of delinquent taxes.
- E. Imminent hazards to life and safety.** Hazardous snow or ice conditions which pose an imminent threat to life or safety may be removed immediately, and the cost thereof shall be assessed and collected as provided in § 71-5.
- F. Penalties for offenses.** Any person who violates any provision of this section shall, upon conviction thereof, be subject to a fine not to exceed \$250 per day of violation, or to imprisonment for a term not to exceed 15 days, or both. The imposition of a penalty for a violation of this section shall not excuse the violation or permit it to continue, and the remedies herein provided for penalties and civil action to enjoin or abate a violation shall be cumulative.

This local law shall take effect immediately upon filing with the New York State Secretary of State.

By filing the amended Local Law 1 of 2022 §120-5.1 Snow & Ice Removal, § 120-11 Duties of Owners will be repealed.

Remy C. Orffeo, Town Clerk
February 3, 2022



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.

February 8, 2022

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

Re: Final Dedication
Pleasant Acres West Subdivision Part 3 Phase 2 to include
Work for Part 4 Phases 1 through 4; PIP #2020-04

Dear Board Members:

On October 21, 2021, a final inspection was conducted of the public improvements constructed in the Pleasant Acres West Subdivision Part 3 Phase 2 including work for Part 4 Phases 1 through 4. The project included four-sublots along New Taylor Road with far-side sanitary sewer laterals installed, and the completion of Wentworth Drive, which consists of the installation of 900 L.F. of new roadway and public utilities including 780 L.F. of sanitary mainline and 900 L.F. of watermain with two hydrants to serve 21 residential sublots as shown on the attached location map.

All work has been satisfactorily completed in accordance with Town. A two-year maintenance bond in the amount of \$325,500.00 has been submitted along with all other necessary documents.

The following is required by NYSDOT and will allow these new roadways to be included into the Local Highway Inventory (LHI) program, which is used to calculate Chips funding. I, therefore, recommend you adopt the following resolution:

WHEREAS, Wentworth Drive completion was constructed as a Town street in accordance with plans and specifications prepared by GPI, Inc.; and

WHEREAS, the Wentworth Drive completion is 0.1705-miles in length consisted of a new drainage system, waterline, gutters, asphalt pavement, and street signage; and

WHEREAS, construction of the Wentworth Drive completion has been completed in accordance with as-built drawings and has been accepted for maintenance by the Town and is currently open to vehicular traffic for the public; now, therefore be it; and

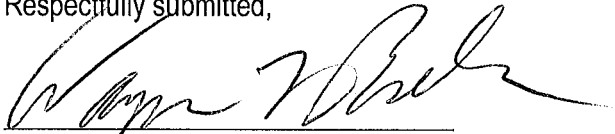
Town Board Letter
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RESOLVED, that the Wentworth Drive completion shall be included in the 2022 Town Local Highway Mileage Inventory of Town Streets; and, be it further; and

RESOLVED, that New York State Department of Transportation is requested to include the Wentworth Drive completion in the Town of Orchard Park's 2022 Inventory of Streets.

I, therefore, recommend that you authorize the Town Attorney to proceed with the dedication of the public improvements in the Pleasant Acres West Subdivision Part 3 Phase 2 including work for Part 4 Phases 1 through 4 constructed under PIP #2020-04, and authorize the Town Clerk to release the \$65,000 performance bond.

Respectfully submitted,



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

Attachment

Cc: Remy Orfeo, Town Clerk
Timothy Gallagher, Town Attorney
Patrick Fitzgerald, Police Chief
Dan Stanford, Town Assessor
Steve Bremer, Building Inspector
Andy Slotman, Highway Superintendent
File #1994-051.7



TOWN OF ORCHARD PARK

ENGINEERING DEPARTMENT

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TOWN ENGINEER
WAYNE L. BIELER, P.E.

February 11, 2022

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

**Re: Pleasant Acres West Subdivision – Phase 3 – Wentworth Drive
P.I.P. #2020-04
Connection of Decorative Light Fixtures – NYSEG Prices**

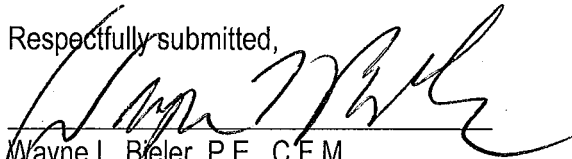
Dear Board Members:

Per the tariff agreement between NYSEG and the Town, NYSEG has requested the Town submit a resolution reflecting the connection of four (4) decorative street light fixtures on Wentworth Drive in the Pleasant Acres West Subdivision – Phase 3, as shown on the attached map. At present, there are seventeen (17) single-family homes currently planned to be constructed in this Phase of the Subdivision.

The LED luminaires, which are owned by the Town, have been installed under PIP # 2020-04. The Town will maintain the poles, bulbs, and the electric eye of the luminaires and NYSEG is providing energy only per the SC4 classification. The Town purchases the electricity from the supplier, which is *estimated* to be \$42.03/ea. for an annual estimated cost of \$168.12 for these seven decorative light poles. The attached application will add the new LED lights to our existing SC4 (service classification) account. Charges for energy to the lights may vary due to the electricity pricing trends from summer and winter month rate fluctuation.

I, therefore, recommend that you authorize NYSEG to connect four (4) L.E.D. decorative light fixtures in the Pleasant Acres West Subdivision – Phase 3, PIP #2020-04 at an estimated annual increased energy cost of \$168.12 to the Consolidated Light District in accordance with the attached NYSEG proposal.

Respectfully submitted,



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

Attachments

Cc: Remy Orfeo, Town Clerk Andy Slotman, Highway Superintendent/General Crew Chief
Nichole Ruf, Drescher & Malecki File #2020.05
Tricia Jurek, ~~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.

February 11, 2022

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

**Re: Smokes Creek Subdivision – Edgewood Farm Lane
P.I.P. #2021-01
Connection of Decorative Light Fixtures – NYSEG Prices**


Dear Board Members:

Per the tariff agreement between NYSEG and the Town, NYSEG has requested the Town submit a resolution reflecting the connection of eight (8) decorative street light fixtures on Edgewood Farm Lane in the Smokes Creek Subdivision, as shown on the attached map. At present, there are nineteen (19) single-family homes currently planned to be constructed in the Subdivision.

The LED luminaires, which are owned by the Town, have been installed under PIP # 2021-01. The Town will maintain the poles, bulbs, and the electric eye of the luminaires and NYSEG is providing energy only per the SC4 classification. The Town purchases the electricity from the supplier, which is estimated to be \$42.03/ea. for an annual estimated cost of \$294.21 for these eight decorative light poles. The attached application will add the new LED lights to our existing SC4 (service classification) account. Charges for energy to the lights may vary due to the electricity pricing trends from summer and winter month rate fluctuation.

I, therefore, recommend that you authorize NYSEG to connect eight (8) L.E.D. decorative light fixtures in the Smokes Creek Subdivision PIP #2021-01 at an estimated annual increased energy cost of \$294.21 to the Consolidated Light District in accordance with the attached NYSEG proposal.

Respectfully submitted,



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

Attachments

Cc: Remy Orffeo, Town Clerk Andy Slotman, Highway Superintendent/General Crew Chief
Nichole Ruf, Drescher & Malecki File #2020.05
Tricia Jurek, ~~Visit the Town's Website at~~ www.orchardparkny.org

**Town of Orchard Park
Recreation, Parks, and Forestry Department**

4520 California Rd
Orchard Park NY 14127

leake@orchardparkny.org (716) 662-6450 ext.1

2/16/22

To: Town Board

From: Ed Leak

Director of Recreation

Item 1: Appt. to the staff of the Town of Orchard Park Recreation Department PT for 2022 effective 2/17/22

Grace Hinterberger \$15.00

Ella Merritt \$15.00

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



TOWN OF ORCHARD PARK

ENGINEERING DEPARTMENT

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TOWN ENGINEER
WAYNE L. BIELER, P.E.

February 15, 2022

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

**Re: *Provisional Appointment to Position of
Senior Engineer Assistant
Engineering Department***

Dear Board Members:

As you know, in 2021 the Engineering Department lost two employees to other companies and in an attempt to fill the vacancies, various civil service list were called for and titles researched. A lot of time has been spent by Gail and myself on this quest and perseverance has paid off. This appointment fills one of the vacancies, the Senior Engineer Assistant title, which there was a Civil Service list which was exhausted and results is the Town having to call for a new civil service exam for that title.

Erie County Department of Personnel will request New York State Department of Civil Service to prepare a promotional and open competitive examination. This position was certified to be the appropriate civil service title of Senior Engineer Assistant for the Town of Orchard Park based on job classifications and duties is correct.

The Senior Engineer Assistant assists in the preparation of engineering estimates; participates in surveys of physical features and stakeouts by assembling and operating equipment, taking measurements, placing stakes, holding level rod, taking sightings, and making and checking computations; conducts final survey parties or other field surveys; plots survey results manually or through the use of a computer; prepares tracings and drawings, utilizing a computer or conventional drafting techniques; operates a laboratory to test materials and gathers field samples; files drawings, engineering records and specifications; contacts vendors on engineering data and specifications; inspection of construction projects, takes measurements, calculates and records quantities; enters, checks and/or maintains data for monthly estimate payments; records other pertinent field data such as means, equipment, materials and weather, etc.; may be required to perform routine computer operation and programming; collects and organizes data related to sewer permits, house connections and related data; performs other engineering tasks consistent with design and construction projects.

I am pleased to inform you that after reviewing several applications, and interviewing ten candidates, various titles responding to the advertisements, postings, I have concluded that the best-qualified individual for the position is Kaleb Fisher. Mr. Fisher has a Bachelor of Science in Civil Engineering from the Rochester Institute of Technology and has worked assisting NYSDOT in two internships and has worked for Kaufman Lynn Construction. Kaleb Fisher has accepted the position and is aware it's pending meeting civil service rules and regulations.

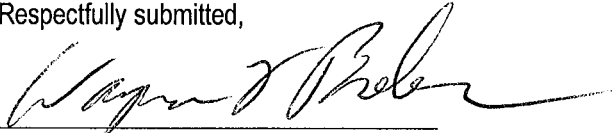
Visit the Town's website at www.orchardparkny.org

Honorable Town Board
February 15, 2022
Page 2

Funding for the Senior Engineering Assistant position is included in the Engineering Department budget. Per the white collar union contract, Kaleb Fisher, Senior Engineer Assistant level 009 Range 1st yr. step wage of \$24.47/hr. is per the white collar union contract.

I, therefore, recommend that you appoint Mr. Kaleb Fisher, 3332 Brookfield Lane, Hamburg, N.Y. 14075 to the provisional position of Senior Engineer Assistant in the Orchard Park Engineering Department at Level 0009, Range 1st yr. of the white collar union wage rate schedule, effective retroactive to February 7, 2022 pending meeting Civil Service rules and regulations.

Respectfully submitted,



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

cc: Remy Orfeo, Town Clerk
Lisa McLean, Personnel Dept.
Nicole Ruf, Drescher & Malecki, LLP
Kaleb Fisher
File

RESOLVED, that the Town Board does hereby promote Maria Galley to the position of Senior Center Director, this is an exempt position with an hourly pay rate of \$23.56, effective January 17, 2022; and be it further

RESOLVED, that she is eligible for a \$5,000 increase six months from appointment, based on performance, and be it further

RESOLVED, that she is eligible for an additional \$5,000 increase upon the completion of one year from appointment, based on performance.

RESOLVED, that the Town Board does hereby appoint Ryan M. McCarthy to the Highway Department, as a Blue Collar Laborer, Step 1 of the Blue Collar Contract. It is an hourly position with a pay rate of \$22.00 per hour, effective February 28, 2022.



TOWN OF ORCHARD PARK

MEMORANDUM

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

DATE: February 14, 2022

TO: Town Clerk, Remy Orffeo, Jenifer Brady, & Building Inspector Steve Bremer
FROM: Anna Worang-Zizzi
SUBJECT: Item(s) for February 16, 2022 - TB Agenda

NEW BUSINESS:

Please refer the following to the Planning Board for review & recommendation:

1. 260 Redtail Road, Located on the west side of Redtail Road, south of Windward Road, Zoned I-1. The applicant is proposing an addition and parking lot expansion to Excelsior Orthopedics. (SBL# 152.18-2-4)

OLD BUSINESS:

The Planning Board, at their February 10th meeting, recommended the following to the Town Board:

1. With regard to V/L, Lake Avenue, located between 6007 and 5971 Lake Avenue (SBL #152.15-1-16) the Planning Board recommends that the Town Board **APPROVE** the requested Rezoning from I-1 to R-3 with the following stipulation:
 1. Fees shall be paid in accordance with Section 144-70C, of the Town Code prior to publication of the Public Hearing Notice.
2. With regard to 6131 Newton Road, located on the north side of Newton Road, near Burton Road, Zoned A-1. (SBL#184.00-4-13.121) "Holy Face Chapel", the Planning Board recommends that the Town Board **APPROVE** the presented Site Plan and **AUTHORIZE** a Building Permit, to construct a 2,300 sq. ft. Retreat Center, per the plan received on 2/10/22, based on the following conditions and stipulations:
 1. All public notices have been filed.
 2. This is an Unlisted SEQR Action, based on the Short EAF submitted on 11/12/21, and a **Negative** Declaration is made.
 3. The site lighting is limited to those fixtures and poles indicated on the approved site plan. Light fixtures shall have flat lenses, and all lighting is to be directed downward and toward the site.
 4. No outside storage or display is permitted.
 5. An updated Landscape Plan, received 1/12/22, meets all Green Space regulations with 300% Sq. Ft.-Green Space. In accordance with Section 144-44(c)(1)(a)(2), a Certified Check amounting to 50% of the \$2,650 Landscaping Estimate Value shall be deposited with the Town Clerk. (\$1,325) Conservation Board approval was granted on 10/05/2021.
 6. Any future dumpsters shall be screened, in accordance with Section 144-25 of the Town Code.
 7. Town Engineering **APPROVAL** was **GRANTED** on 2/10/22.
3. With regard to 6145 West Quaker Street, located on the south side of West Quaker Street, East of Thorn Avenue, Zoned B-2, the Planning Board recommends that the Town Board **APPROVE** the requested "Change in Use" from Garage Repair Shop to Kitchen Showroom and Sales floor, based on the following conditions and stipulations:
 1. This is a Type II SEQR Action and therefore no determination of significance is required.

At-Large Directors
Raymond Waterman
Pamela Armstrong
Dr. Kelly Frothingham



Directors
John Mills, Chairman, Co. Legislator
Vacant, Co. Legislator
David Mosher, Grange
Allison DeHoney, Farm Bureau

Erie County Soil & Water Conservation District

50 Commerce Way, East Aurora, New York 14052-2185

Phone: (716) 652-8480 ext. 5

January 20, 2022

Dear Town Clerk,

It is time again for the annual Soil & Water Conservation District Tree and Shrub Seedling Program. With the support and assistance of local public offices, our 2021 program was a great success. We are once again asking for your help with the 2022 program. We typically ask you to make the enclosed order forms available for public access, however, we understand that with COVID-19 safety protocol your office may have certain guidelines for how you make information available to the public. If you are not able to share the forms with visitors please consider sharing the forms with staff, family and friends.

The order form and additional program information are available through our website at www.ecswcd.org. We have also enclosed the annual advertising poster but we are not including information slips this year to eliminate handling. We modified the poster to include a QR (Quick Response) code that visitors can choose to scan with their mobile devices. The QR code takes the visitor to our website. If you have room in your office/building we would greatly appreciate your hanging of the poster in a conspicuous place.

We are truly grateful for your assistance in our conservation effort. If you would like more information about the Program and/or more order forms, please contact me via phone at 652-8480, ext. 5 or via e-mail at don.stribick@ny.nacdnet.net. We would welcome any feedback or suggestions about the Program.

Thank you for your help.

Sincerely,

Don Stribick
Conservation District Technician

Enc.

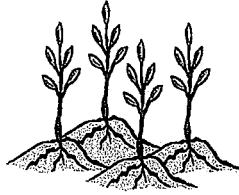
Conservation Districts are local government subdivisions established under New York State Environmental Conservation Law to carry out programs for the conservation of soil, water and related resources. Districts are resource management agencies coordinating and implementing resource and environmental programs at the local level in cooperation with local, state and federal agencies.

• *Providing Today, Protecting Tomorrow* •

Erie County Soil and Water Conservation District

***Conservation
Tree and Shrub
Seedling Program***

Give Nature A Helping Hand!



**Plant trees and shrubs to protect natural resources
and provide wildlife habitat.**

Order Deadline: March 4, 2022

Broadleaf Deciduous

Quaking Aspen, River Birch, Paper
(White) Birch, Black Cherry, Shagbark
Hickory, Red Maple, Sugar Maple,
Northern Red Oak, Pin Oak, White
Oak, Swamp White Oak, Hybrid
Poplar, Sycamore, Tulip Tree,
Black Walnut

Conservation Shrubs

Red Osier Dogwood, American
Elderberry, American Hazelnut,
Winterberry Holly, Eastern Ninebark,
Serviceberry, Spicebush,
Streamco Willow

Seedling Combo Packs

Wildlife Habitat;
Bird, Butterfly & Pollinator;
Nut Tree;
Homeowner Tree

Conifer (Evergreen) Seedlings

White Pine, Blue Spruce,
Norway Spruce, White Spruce,
Douglas Fir

Conifer Transplants

White Pine, Blue Spruce, Norway
Spruce, White Spruce, Balsam Fir,
Douglas Fir, Fraser Fir

**Conifer Transplant Combo
Pack**

Wildflower Seed Mixes

Northeast Wildflower Seed Mix

Planting Supplies

Fertilizer Tablets
Flags
Tree Shelters

Bluebird Nest Boxes

***For order form and information
visit:***

www.ecswcd.org

Or call:

**Erie County Soil and Water
Conservation District**

50 Commerce Way
East Aurora, New York 14052
Phone: (716) 652-8480 ext. 5



Scan code for the District website.

***On the home page
select "Order Form" link.***

***Can't scan - take a photo
of the poster!***

TOWN OF ORCHARD PARK

BUILDING INSPECTOR MONTHLY REPORT

MONTH OF JANUARY 2022

BUILDING PERMITS	# OF	VALUE	BUILDING PERMITS	# OF	VALUE
NEW CONSTRUCTION:			ABOVE GROUND POOLS		
SINGLE DWELLING			INGROUND POOLS		
DOUBLE DWELLING			DECKS		
APT/MULTI-FAMILY			ELECTRICAL	4	16,400
COMMERCIAL			FENCES		
ADDITIONS:			GARAGE / BARN / POLE BARN	1	70,000
RESIDENTIAL	2	150,000	GENERATORS	10	107,700
COMMERCIAL	2	3,499,122	MISC.	7	38,092
ALTER/REPAIR:			PORCH/PATIO	2	64,000
RESIDENTIAL	4	74,000	SHEDS	1	4,500
COMMERCIAL / TENANT BO	1	50,000	SIGNS		
SOLAR PV SYSTEM			TOTAL:	34	4,073,814

INSPECTIONS	NUMBER OF INSPECTIONS PER ZONE				TOTAL
	1	2	3	4	
TYPE:					
NEW CONSTRUCTION:					
RESIDENTIAL	9	8	11	6	34
COMMERCIAL				6	6
ADDITIONS:					
RESIDENTIAL	4	6			10
COMMERCIAL				8	8
ALTER/REPAIR:					
RESIDENTIAL	9	5	5	5	24
COMMERCIAL / TENANT BO			4	8	12
ABOVE GROUND POOLS					
INGROUND POOLS					
DECKS		1			1
ELECTRICAL	8	11	13	9	41
FENCES	10	3	1	4	18
GARAGE/BARN/POLE BARN	2			3	5
GENERATORS	6	4	7	7	24
MISC.	3	3	2	5	13
PROPERTY MAINTENANCE		2	25	17	44
SHEDS	5	3		5	13
SIGNS		1	1	8	10
SOLAR PV SYSTEM					
FIRE INSPECTIONS	1	1	7	30	39
CLOSEOUT INSPECTIONS		1	1		2
TOTAL INSPECTIONS:	57	49	77	121	304

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

ZONING BOARD OF APPEALS: Meeting Canceled GRANTED: 0 DENIED: 0

REMARKS:

SIGNATURE: _____

DATE: 2/18/22