

WHEREAS, the following property located in the Town of Orchard Park, locally known as SBL #161.00-3-26 V/L Taylor Road and is presently zoned R-3 Residential; and

WHEREAS, the Town of Orchard Park has determined that it would be in the best interest of the community at large for said property to be rezoned Development and Research (DR); and

WHEREAS, the rezoning is supported by the Orchard Park Economic Development Committee, and

WHEREAS, the owner of said property is purported to be LeBex Holdings; and

WHEREAS, a metes and bounds description and an accurate map/survey is on file with the Town of Orchard Park Town Clerk; and

WHEREAS, this is an Unlisted SEQR action based on the submitted Short EAF, Parts One and Two and a (negative) (positive) declaration is declared, and

WHEREAS, the present use of the property is R-3 and could be used for Two Family Homes, Tourist Homes and Multiple Dwellings (a complete list is available in the Town Clerk's office) and in rezoned DR state the property could be used for Business and Professional offices, Warehousing and distribution (a complete list is available in the Town Clerk's office); and

WHEREAS, the Town Comprehensive Plan as originally adopted on September 19, 2007 (and with subsequent revisions) has a goal to "Encourage the expansion of business and industrial uses such as research and development, light manufacturing, and other non-polluting industries in locations proximate to necessary transportation, water, and sewer infrastructure." and to "Buffer new commercial and industrial land uses from residential areas with proper landscaping and screening.", and

WHEREAS, the Town of Orchard Park, with less than 5% of its land mass zoned Industrial/Research and Development, is under served in the amount of currently Zoned Industrial/Research and Development land, and

WHEREAS, the Town Board has the authority to require additional permanent screening between an "R-3" zone and a "D-R" zone; and

WHEREAS, the Town Board approves the stipulation that the rear yard setback for the rezoned SBL #161.00-3-26 (V/L Taylor Road) be sixty (60) feet; and

NOW THEREFORE, under the authority of the Town of Orchard Park Ordinances Sections 144-66 through 144-69, **be it**

RESOLVED, that SBL #161.00-3-26 (V/L Taylor Road) is rezoned from R-3 to D-R with the stipulation that the rear setback is sixty (60) feet, and be it further

RESOLVED, based on the recommendations of the Conservation and Planning Boards, the amount of buffering, the species of trees and/or shrubs and the size of the trees and/or shrubs shall be determined by the Town Board.

WHEREAS, the following property located in the Town of Orchard Park, locally known as SBL #161.19-2-1 V/L Taylor Road and is presently zoned R-3 Residential; and

WHEREAS, the Town of Orchard Park has determined that it would be in the best interest of the community at large for said property to be rezoned Development and Research (DR); and

WHEREAS, the rezoning is supported by the Orchard Park Economic Development Committee, and

WHEREAS, the owner of said property is purported to be Pleasant Acres West; and

WHEREAS, a metes and bounds description and an accurate map/survey is on file with the Town of Orchard Park Town Clerk; and

WHEREAS, this is an Unlisted SEQR action based on the submitted Short EAF, Parts One and Two and a (negative) (positive) declaration is declared, and

WHEREAS, the present use of the property is R-3 and could be used for Two Family Homes, Tourist Homes and Multiple Dwellings (a complete list is available in the Town Clerk's office) and in rezoned DR state the property could be used for Business and Professional offices, Warehousing and distribution (a complete list is available in the Town Clerk's office); and

WHEREAS, the Town Comprehensive Plan as originally adopted on September 19, 2007 (and with subsequent revisions) has a goal to "Encourage the expansion of business and industrial uses such as research and development, light manufacturing, and other non-polluting industries in locations proximate to necessary transportation, water, and sewer infrastructure." and to "Buffer new commercial and industrial land uses from residential areas with proper landscaping and screening.", and

WHEREAS, the Town of Orchard Park, with less than 5% of its land mass zoned Industrial/Research and Development, is under served in the amount of currently Zoned Industrial/Research and Development land, and

WHEREAS, the Town Board has the authority to require additional permanent screening between an "R-3" zone and a "D-R" zone; and

WHEREAS, the Town Board approves the stipulation that the rear yard setback for the rezoned SBL #161.19-2-1 (V/L Taylor Road) be sixty (60) feet; and

NOW THEREFORE, under the authority of the Town of Orchard Park Ordinances Sections 144-66 through 144-69, **be it**

RESOLVED, that SBL #161.19-2-1 (V/L Taylor Road) is rezoned from R-3 to D-R with the stipulation that the rear setback is sixty (60) feet, and be it further

RESOLVED, based on the recommendations of the Conservation and Planning Boards, the amount of buffering, the species of trees and/or shrubs and the size of the trees and/or shrubs shall be determined by the Town Board.

WHEREAS, the following property located in the Town of Orchard Park, locally known as SBL #172.07-1-7 5933 Big Tree Road and is presently zoned R-3 Residential; and

WHEREAS, the Town of Orchard Park has determined that it would be in the best interest of the community at large for said property to be rezoned Development and Research (DR); and

WHEREAS, the rezoning is supported by the Orchard Park Economic Development Committee, and

WHEREAS, the owner of said property is purported to be First Baptist Church; and

WHEREAS, a metes and bounds description and an accurate map/survey is on file with the Town of Orchard Park Town Clerk; and

WHEREAS, this is an Unlisted SEQR action based on the submitted Short EAF, Parts One and Two and a (negative) (positive) declaration is declared, and

WHEREAS, the present use of the property is R-3 and could be used for Two Family Homes, Tourist Homes and Multiple Dwellings (a complete list is available in the Town Clerk's office) and in rezoned DR state the property could be used for Business and Professional offices, Warehousing and distribution (a complete list is available in the Town Clerk's office); and

WHEREAS, the Town Comprehensive Plan as originally adopted on September 19, 2007 (and with subsequent revisions) has a goal to "Encourage the expansion of business and industrial uses such as research and development, light manufacturing, and other non-polluting industries in locations proximate to necessary transportation, water, and sewer infrastructure.", and

WHEREAS, the Town of Orchard Park, with less than 5% of its land mass zoned Industrial/Research and Development, is under served in the amount of currently Zoned Industrial/Research and Development land, and

NOW THEREFORE, under the authority of the Town of Orchard Park Ordinances Sections 144-66 through 144-69, **be it**

RESOLVED, that SBL #172.07-1-7 5933 Big Tree Road is rezoned from R-3 to D-R.

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., JULY 21, 2022 A.D.

I HEREBY CERTIFY THAT at a regular session of the Legislature of Erie County held in the Old County Hall, in the City of Buffalo, on the 21st day of July 2022 A.D., a resolution was adopted, of which the following is a true copy:

Honoring D.A.R.E. Officer Kristen Mazur

WHEREAS, The Erie County Legislature seeks to honor individuals in Erie County who enhance the quality of life in the community through their efforts; and

WHEREAS, D.A.R.E. stands for Drug Abuse Resistance Education and was started in California in 1983 and implemented in the Town of Orchard Park a decade later; and

WHEREAS, Orchard Park Police Officer Kristen Mazur started at the Department in 2013 and became a D.A.R.E. Officer in 2014 in an effort to engage and equip the youth in our community by “teaching students decision-making skills for safe and healthy lives”; and

WHEREAS, Officer Kristen Mazur enjoys working with elementary students in both public and parochial schools, allowing her to build relationships early during children’s most formative years; and

WHEREAS, Officer Kristen Mazur teaches responsibility, health effects of alcohol and tobacco use, risks and consequences, peer pressure and resistance strategies, handling stressful situations, communication, helping others and getting help from others, and internet safety; and

WHEREAS, Officer Kristen Mazur has been greatly supported by the community and states the best part of her job is when parents approach her, telling stories of what positive effects the D.A.R.E. program has had on their children’s lives; and

WHEREAS, Officer Kristen Mazur prides herself on being a role model and providing instruction that far outreaches the classroom walls, permeating families throughout the Orchard Park community.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor **Officer Kristen Mazur** of the Orchard Park Police Department for her immeasurable dedication to educating the youth in our community with skills to make positive decisions and avoid negative behaviors.

JOHN J. MILLS

Erie County Legislator, District 11

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., JULY 21, 2022 A.D.

I HEREBY CERTIFY THAT at a regular session of the Legislature of Erie County held in the Old County Hall, in the City of Buffalo, on the 21st day of July 2022 A.D., a resolution was adopted, of which the following is a true copy:

Recognizing and Honoring School Resource Officer John Starr

WHEREAS, school resource officers are dedicated to making schools and students safer on a day-to-day basis; and

WHEREAS, school resource officers bridge gaps between youth and law enforcement and support a triad concept of school policing, serving in informal counseling, education, and law enforcement roles to assist the students and communities they serve; and

WHEREAS, School Resource Officer (SRO) programs across the globe are founded as collaborative efforts by police agencies, law enforcement officers, educators, students, parents, and communities to create safe learning environments, provide valuable resources to school staff members, foster positive relationships with students, and develop strategies to resolve problems that affect youth with the goal of protecting all children so that they can reach their full potential; and

WHEREAS, Orchard Park Police Officer John Starr serves as School Resource Officer for Orchard Park Middle School, where School Resource Officers serve as valuable and essential members of the education community and deserve unwavering respect and support from the public as they strive to keep our schools and students safe; and

WHEREAS, being trained to counsel, educate, and protect school communities, Officer John Starr leads by example and promotes a positive image of law enforcement by building relationships with students, their families, and faculty in the Orchard Park School community; and

WHEREAS, Officer John Starr has worked for three years applying the knowledge and expertise he has acquired throughout his career to maintain a safe, respect-driven environment for all students and staff at Orchard Park Middle School.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor Officer John Starr and recognize his immeasurable value to our students and community.

JOHN J. MILLS

Erie County Legislator, District 11

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., JULY 21, 2022 A.D.

I HEREBY CERTIFY THAT at a regular session of the Legislature of Erie County held in the Old County Hall, in the City of Buffalo, on the 21st day of July 2022 A.D., a resolution was adopted, of which the following is a true copy:

Recognizing and Honoring School Resource Officer Robert Simmons II

WHEREAS, school resource officers are dedicated to making schools and students safer on a day-to-day basis; and

WHEREAS, school resource officers bridge gaps between youth and law enforcement and support a triad concept of school policing, serving in informal counseling, education, and law enforcement roles to assist the students and communities they serve; and

WHEREAS, School Resource Officer programs across the globe are founded as collaborative efforts by police agencies, law enforcement officers, educators, students, parents, and communities to create safe learning environments, provide valuable resources to school staff members, foster positive relationships with students, and develop strategies to resolve problems that affect youth with the goal of protecting all children so that they can reach their full potential; and

WHEREAS, Orchard Park Police Officer Robert Simmons II serves as a School Resource Officer for Erie2Boces. He is a valuable and essential member of the education community, deserving of unwavering respect and support from the public as he strives to keep our schools and students safe; and

WHEREAS, Officer Robert Simmons II has worked for twenty-one years, applying the knowledge and expertise he has acquired throughout his career to maintain a safe, respect-driven environment for all students and staff at Erie2Boces.

WHEREAS, being trained to counsel, educate, and protect school communities, Officer Robert Simmons II leads by example and promotes a positive image of law enforcement by building relationships with students, their families, and faculty in the Erie2Boces School community; and

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor Officer Robert Simmons II and recognize his immeasurable value to our students and community.

JOHN J. MILLS

Erie County Legislator, District 11

STATE OF NEW YORK

LEGISLATURE OF ERIE COUNTY

BUFFALO, N.Y., JULY 21, 2022 A.D.

I HEREBY CERTIFY THAT at a regular session of the Legislature of Erie County held in the County Hall, in the City of Buffalo, on the 21st day of July 2022 A.D., a resolution was adopted, of which the following is a true copy:

Recognizing and Honoring School Resource Officer Courtney Mackey

WHEREAS, school resource officers are dedicated to making schools and students safer on a day-to-day basis; and

WHEREAS, school resource officers bridge gaps between youth and law enforcement and support a triad concept of school policing, serving in informal counseling, education, and law enforcement roles to assist the students and communities they serve; and

WHEREAS, School Resource Officer programs across the globe are founded as collaborative efforts by police agencies, law enforcement officers, educators, students, parents, and communities to create safe learning environments, provide valuable resources to school staff members, foster positive relationships with students, and develop strategies to resolve problems that affect youth with the goal of protecting all children so that they can reach their full potential; and

WHEREAS, Orchard Park Police Officer Courtney Mackey is a School Resource Officer at the Orchard Park High School and has set forth a goal to provide the safest environment for children through educating students on different perspectives of law enforcement and making the right choices; and

WHEREAS, Orchard Park Police Officer Courtney Mackey is trained to counsel, educate, and protect school communities and believes that there is nothing more crucial than to protect our children when they are at school; and

WHEREAS, Officer Courtney Mackey has worked for four years applying the knowledge and expertise she has acquired throughout her career to maintain a safe, respect-driven environment for all students and staff and embed herself as a vital resource for all stakeholders at Orchard Park Central Schools; and

WHEREAS, Officer Courtney Mackey plans to uphold her high standards throughout her career by embodying the principles of law enforcer, informal counselor, educator, and emergency manager.

NOW, THEREFORE, BE IT RESOLVED, the Erie County Legislature pauses in its deliberations to honor Officer Courtney Mackey and recognize her immeasurable value to our students and community.

JOHN J. MILLS

Erie County Legislator, District 11



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 12, 2022

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

**Re: *Proposed Change Order #1 – Home Reconnection Credits
Bussendorfer Road Waterline Replacement Project***

Dear Board Members:

The Engineering Department is requesting your approval of a Change Order credit (attached) to the contract with Fairway Contracting, Inc. for the Bussendorfer Road Waterline Replacement Project for far side and near-side house service reconnections, respectively. If approved, this could decrease the total contract amount by -\$26,630.89 to \$718,213.11, representing a decrease of 3.58%.

The Change Order requested is to revise the work scope under their contract to have Fairway Contracting credit the Town of Orchard Park -\$926.32 and -\$329.31, unit prices respectively, for the change of work, if possible, from a full far side and near-side water service replacements to simpler water service reconnections at the new watermain.

I, therefore, recommend that you approve Change Order #1 to our original contract with Fairway Contracting, Inc. for the Bussendorfer Road Waterline Replacement Project for a credit amount estimated at -\$26,630.89.

Respectfully submitted,

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

Attachments

Cc: Remy Orffeo, Town Clerk
Fairway Contracting

File # 2002.030.2

S:\Town Projects\Bussendorfer Water Line\Bidding\Letter to TB to Approve CO#1.doc

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



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 12, 2022

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

**Re: Advertisement for Bids
Brush Mountain Park Bocce Ball Courts Project**

Dear Board Members:

The Orchard Park Engineering Department is finalizing design plans, and specifications, for the Brush Mountain Park Bocce Ball Court Project.

The Advertisement for Bids should be authorized to be published on August 17, 2022. Plans and specifications will be available for purchase on August 19, 2022 with the bid opening to be held on August 30, 2022 at 2:00pm. It is expected that the construction will start after award and completion of construction work by October 14, 2022 weather permitting.

I therefore recommend that you authorize advertisement in the Orchard Park Bee for sealed bids to be opened for the Brush Mountain Park Bocce Ball Courts Project on August 30, 2022 at 2:00 P.M. in the Basement Meeting Room at the Orchard Park Municipal Center.

Respectfully submitted,

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

Attachment

cc: Town Clerk Town Attorney File



TOWN OF ORCHARD PARK

TC

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 12, 2022

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

**Re: Application for Out of District Sewer Service
Town of Orchard Park Sanitary Sewer District No. 18 into
Town of West Seneca Sanitary Sewer District No. 13
6975, 6987, and 6999 Reserve Road, Orchard Park, New York**

Dear Board Members:

The Engineering Department has received correspondence requesting Out-of-District Sewer Service approval from The Maranno/Marc Equity Corporation, for three (3) proposed residential houses at 6975, 6987, and 6999 Reserve Road.

The addresses are located inside the boundaries of Orchard Park Sanitary Sewer District No. 18, but the nearest available sanitary sewer mainline is in the Town of West Seneca Sanitary Sewer District No. 13 on the far-side of Reserve Road from the proposed homes. No Orchard Park sanitary sewer infrastructure is available to service these properties.

I, therefore, recommend that you authorize the Town Supervisor to sign on the Out-of-District Sewer Service Agreement between the Town Orchard Park Sewer District No. 18 and the Town of West Seneca Sanitary Sewer District No. 13 for the three (3) proposed residential houses at 6975, 6987, and 6999 Reserve Road; SBL Nos. 153.06-1-5, 153.06-1-6, and 153.06-1-7, respectively, when received.

Respectfully submitted,

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

Cc: Timothy Gallagher, Town Attorney
Dan Stanford, Town Assessor
Remy Orffeo, Town Clerk File:

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

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

8/17/22

To: Town Board

From: Ed Leak

Director of Recreation

Item 1: Appt. to the staff of the Town of Orchard Park Recreation and Parks Department PT for 2022 retroactive 8/15

Jody Burnard	\$17.50
Brayden Buell	\$15.00
Owen Casto	\$16.00
Joseph Cole	\$15.00
Madeline Feldman	\$17.50
Jacob Hemingway	\$15.00
Michael Kubera	\$17.50
Janet Marks	\$17.50
Clair Otis	\$16.75
Josephine Patronik	\$15.00
Dana Totaro	\$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

MEMORANDUM

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

DATE: August 15, 2022

TO: Town Clerk, Remy Orffeo, Jenifer Brady, & Building Inspector Steve Bremer
FROM: Rose Messina
SUBJECT: Item(s) for August 17, 2022 - TB Agenda

OLD BUSINESS:

The Planning Board, at their 8/11/22 meeting recommended the following to the Town Board:

1. With regard to V/L Sterling Drive, Silver Grove Financial, located on the west side of Sterling Drive, south of Windward Drive, Zoned I-1, the Planning Board recommends that the Town Board **APPROVE** the presented Site Plan and **AUTHORIZE** a Building Permit, to construct a 5,340 square foot Office Building, per the plan received on 3/11/2022, based on the following conditions and stipulations:
 1. All public notices have been filed.
 2. This is a Type 1 SEQR Action, based on the Short EAF and a Negative Declaration is hereby 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 6/14/2022, meets all Green Space regulations with 67% Green Space. In accordance with Section 144-44(c)(1)(a)(2), a Certified Check amounting to 50% of the \$20,220 Landscaping Estimate Value shall be deposited with the Town Clerk. (\$10,110) Conservation Board approval was granted on 7/5/2022.
 6. Any future dumpsters shall be screened, in accordance with Section 144-25 of the Town Code.
 7. The applicant is to provide the Town of Orchard Park Assessor with an "independent" appraisal for the completed project by a Certified Commercial Appraiser
 8. Planning Boards' recommendational approval is pending Engineering approval, which is awaiting submission of all outside Agencies' approvals.
 9. Approval is "*conditioned*" upon consulting with the Conservation Board to determine if additional trees can be incorporated into the previously approved Landscape Plan.

TIMOTHY J. PAWARSKI

Attorney at Law
1905 Transit Road
Elma, New York 14059
Telephone: (716) 200-7398 Facsimile: (716) 685-9844
tpawarskilaw@gmail.com

RECEIVED

AUG 08 2022

TOWN CLERK

August 4, 2022

CERTIFIED MAIL

New York State Department of Transportation
Attention: Norman A. Duennebacke, P.E.
Regional Structures Engineer
100 Seneca Street
Buffalo, New York 14203

**Re: Highway Reconstruction & Bridge Replacement Project
PIN 5111.77
U.S. Route 20 (Southwestern Boulevard/Transit Road)
from Leydecker Road to Route 16 (Seneca Street)**

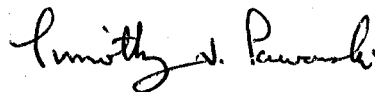
Dear Mr. Duennebacke:

Enclosed please find a Petition in Opposition to the above subject project signed by the property owners affected by said project.

We are requesting that this Petition in Opposition be made part of the record in reference to the public hearing held on July 21, 2022.

The residents would appreciate being informed as to any further design change regarding the sidewalk and snow storage section of the project which the Petition opposes.

Very truly yours,



TIMOTHY J. PAWARSKI, ESQ.

TJP/cmw
Enc.

C: Project's Affected Property Owners
Elma Town Board Members
West Seneca Town Board Members
Orchard Park Town Board Members
Hon. Patrick Gallivan
Hon. David DiPietro