

**2024 – 2025  
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

**PUBLIC HEARING**

November 15, 2023

The Town of Orchard Park may be eligible to receive Community Development Block Grant (CDBG) funds from the U.S. Department of Housing and Urban Development (HUD) for the 2024 Program Year. The purpose of this public hearing is to provide an opportunity for citizens to discuss the needs of the community as outlined in the official notice (*page 7*).

The Town is one of 34 municipalities in the Erie County CDBG Consortium. This year the Consortium will receive a grant of approximately \$3.2 million from HUD. The grant will be divided into four spending categories: 27% for Community Projects; 27% for Housing; 27% for Economic Development; and 19% for Administration and Planning.

To be eligible for CDBG funding, a proposed project must satisfy one or more of the following national objectives:

- I. - BENEFIT LOW AND MODERATE INCOME PERSONS
- II. - CORRECT SLUMS AND BLIGHT
- III. - MEET AN URGENT COMMUNITY NEED

These objectives are further described below.

I. BENEFIT LOW AND MODERATE INCOME PERSONS

**Area Benefit:** For a project to benefit low and moderate income persons, it is required that at least 40.34% of the residents of the specific area targeted be at or below the criteria of the Income Eligibility Schedule on *page 4*. Data from the 2010 U.S. Census shows that there are 4,360 low and moderate income persons within the Town and 465 in the Village (Total = 4,825).

For a specific area to qualify, an independent income survey must be performed for the targeted area.

**Limited Clientele:** All elderly, homeless, and handicapped residents are presumed eligible regardless of their location within the Town or their income levels. For a project to be considered under this category, at least 51% of the benefiting persons must be classified as limited clientele.

## **II. CORRECT SLUMS AND BLIGHT**

For an area to be designated as a slum or blighted area, there must be a substantial number of deteriorated or deteriorating buildings or public improvements throughout the area. The project must address one or more of the conditions, which contributed to the deterioration of the area. Currently there are no such areas in the Town of Orchard Park.

## **III. MEET AN URGENT COMMUNITY NEED**

To comply with the objective of meeting an urgent community need, the project must alleviate existing conditions that have developed or become critical within the past 18 months and:

- Pose a serious and immediate threat to the health and welfare of the community,
- the grantee is unable to finance, and
- other resources of funds are not available.

---

## **ELIGIBLE ACTIVITIES**

- Acquisition of Real Property for a Project
- Public Facilities and Improvements
- Public Services
- Removal of Architectural Barriers
- Historic Preservation
- Commercial or Industrial Rehabilitation
- Special Economic Development
- Program Administration Costs

**Page 5** outlines the history of CDBG funding in the Town of Orchard Park. Since its inception in 1976, the Town has received over \$3.0 million in grants and loans under this Federal program. **Page 6** lists the various projects for which the Town has utilized its block grant monies.

There is a maximum grant of \$150,000.00 per project with a maximum of two projects funded per municipality. Applications for this year's Community Development Block Grant funds must be submitted by Monday, October 30, 2023.

Some suggested projects in the Town of Orchard Park which may qualify for funding in 2024 include:

<u>PROJECT</u>	<u>ESTIMATE</u>
Town Specific - NONE	\$0.00
<u>CDBG</u> - Rural Transit Service (participation in the existing program w/ 18 towns, 7 villages)	\$ Cost Varies +/- (no matching funds required)

Last year the Town issued a letter of support for the Rural Transit Service Program. The Rural Transit Service Program was funded.

It is likely that the Town will again submit an application/letter of support for funding to continue our participation in the Rural Transit Service Program. This program provides van transportation for eligible citizens. Trips can be for any reason but are prioritized for medical and health concerns. Orchard Park currently has 196 registered users in this program.

**Erie County Community Development Program - Income Eligibility Schedule  
2023**

No. of Persons	4 Points	3 Points	2 Points	1 Point		
	30% County Median	50% County Median	65% County Median	70% County Median	80% County Median	100% Median
	<i>CDBG Very Low Inc.</i>	<i>CDBG Low Inc.</i>			<i>CDBG Moderate Inc.</i>	
1	\$19,500	\$32,500	\$42,250	\$45,500	\$52,000	\$65,000
2	\$22,290	\$37,150	\$48,295	\$52,010	\$59,440	\$74,300
3	\$25,080	\$41,800	\$54,340	\$58,520	\$66,880	\$83,600
4	\$27,840	\$46,400	\$60,320	\$64,960	\$74,240	\$92,800
5	\$30,090	\$50,150	\$65,195	\$70,210	\$80,240	\$100,300
6	\$32,310	\$53,850	\$70,005	\$75,390	\$86,160	\$107,700
7	\$34,530	\$57,550	\$74,815	\$80,570	\$92,080	\$115,100
8+	\$36,750	\$61,250	\$79,625	\$85,750	\$98,000	\$122,500

Rehab Program		Rehab Program Income Points	
Under 80% Median	0% Deferred	<30% =	4 Points
		30-50% =	3 Points
		50-65% =	2 Points
		65-80% =	1 Point

Effective: June 15, 2023

**TOWN OF ORCHARD PARK  
COMMUNITY DEVELOPMENT PROGRAM  
FUNDING HISTORY AS OF NOVEMBER 2023**

YEAR	ALLOTMENT	EXPENDED	BALANCE
1976	\$111,792.00	\$111,792.00	\$0.00
1977	111,792.00	111,792.00	0.00
1978	111,792.00	111,792.00	0.00
1979	111,792.00	111,792.00	0.00
1980	111,792.00	111,792.00	0.00
1981	111,792.00	111,792.00	0.00
1982	259,977.59	259,977.59	0.00
1983	58,448.49	58,448.49	0.00
1984	64,499.92	64,499.92	0.00
1985	50,852.00	50,852.00	0.00
1986	20,171.00	20,171.00	0.00
1987	0.00	0.00	0.00
1988	0.00	0.00	0.00
1989	23,357.00	23,357.00	0.00
1990	34,183.00	34,183.00	0.00
1991	90,000.00	90,000.00	0.00
1992	0.00	0.00	0.00
1993	150,630.00	150,630.00	0.00
1994	0.00	0.00	0.00
1995	0.00	0.00	0.00
1996	40,000.00	40,000.00	0.00
1997	0.00	0.00	0.00
1998	0.00	0.00	0.00
1999	135,000.00	135,000.00	0.00
2000	0.00	0.00	0.00
2001	0.00	0.00	0.00
2002	190,000.00	190,000.00	0.00
2003	0.00	0.00	0.00
2004	0.00	0.00	0.00
2005	90,000.00	90,000.00	0.00
2006	0.00	0.00	0.00
2007	0.00	0.00	0.00
2008	100,000.00	100,000.00	0.00
2009	0.00	0.00	0.00
2010	0.00	0.00	0.00
2011	200,000.00	200,000.00	0.00
2012	0.00	0.00	0.00
2013	0.00	0.00	0.00
2014	0.00	0.00	0.00
2015	100,000.00	100,000.00	0.00
2016	0.00	0.00	0.00
2017	150,000.00	150,000.00	0.00
2018	78,759.00	78,759.00	0.00
2019	0.00	0.00	0.00
2020	0.00	0.00	0.00
2021	0.00	0.00	0.00
2022	0.00	0.00	0.00
2023	0.00	0.00	0.00
<b>TOTAL GRANTS</b>	<b>\$2,506,630.00</b>	<b>\$2,506,630.00</b>	<b>\$0.00</b>
1992 LOAN*	100,000.00	100,000.00	0.00
1995 LOAN**	450,000.00	450,000.00	0.00
<b>TOTAL LOANS</b>	<b>550,000.00</b>	<b>550,000.00</b>	<b>0.00</b>
<b>GRAND TOTAL</b>	<b>\$3,056,630.00</b>	<b>\$3,056,630.00</b>	<b>\$0.00</b>

\* Loan repaid in 2005

\*\* Loan repaid in 2006

-Covid funds are excluded from this history sheet.

TOWN OF ORCHARD PARK  
COMMUNITY DEVELOPMENT FUNDED PROJECTS  
STATUS AS OF 11/7/2023

FUNDING YEAR	PROJECT	ALLOCATED	EXPENDED	BALANCE
1977 - 1980*	Administration	36,861.14	36,861.14	0
1978 - 1981**	Housing Rehabilitation	23,737.00	23,737.00	0
1976	Orchard Meadows Playground	37,264.00	37,264.00	0
1976, 1977	Poplar-Webster Drainage	159,320.00	159,320.00	0
1976, 1977	Union Road Waterline Ext.	11,208.68	11,208.68	0
1977 - 1979	Burmon Sanitary Sewer Rehabilitation	6,903.32	6,903.32	0
1978, 1979	Southwestern Blvd. Economic Dev. Waterline	166,852.23	166,852.23	0
1980	Velore Avenue Waterline	12,130.58	12,130.58	0
1980	Burmon Recreation Area	42,767.93	42,767.93	0
1977, 1979 -1983	Velore Avenue Rehabilitation	102,189.12	102,189.12	0
1981, 1982	Quaker Centre Industrial Park Phase 1	350,000.00	350,000.00	0
1985	Zoning Maps	464.05	464.05	0
1982 - 1984	Vistula Avenue Rehabilitation	140,465.67	140,465.67	0
1985	Planning / Construction Maps	867.77	867.77	0
1989	Hillside Income Survey (Hillside Ave. & NIA)	6,000.00	6,000.00	0
1985, 1986, 1989	Hillside Ave. Rehabilitation (Inc. 1st & 2nd St.)	175,209.51	175,209.51	0
1993	Senior Citizens Activity Center	90,630.00	90,630.00	0
1993	Lakeview Ave. Pavement Restoration	60,000.00	60,000.00	0
1996	O.P. Library Handicapped Accessibility	40,000.00	40,000.00	0
1996***	Rural Transit Service Program	-----	-----	-----
1999	Summit Avenue Reconstruction	90,000.00	90,000.00	0
1999	Boys & Girls Club Handicap Access	45,000.00	45,000.00	0
2002	Windom Ave. Reconstruction	90,000.00	90,000.00	0
2002	Burmon Recreation Area Improvements	40,000.00	40,000.00	0
2002	Senior Citizens Center Repairs	60,000.00	60,000.00	0
2005	Allen Street Reconstruction	90,000.00	90,000.00	0
2008	Oakwood Reconstruction	100,000.00	100,000.00	0
2011	Iroquois Drive Reconstruction	100,000.00	100,000.00	0
2011	Iroquois Drive Drainage	100,000.00	100,000.00	0
2015	Burmon Drive Sanitary Sewer Replacement	100,000.00	100,000.00	0
2017	Burmon Drive Road Reconstruction	150,000.00	150,000.00	0
2018	Burmon Drive Sidewalk Reconstruction	78,759.00	78,759.00	0
TOTAL GRANTS		\$2,506,630.00	\$2,506,630.00	\$0.00
1992	Breem Street Relocation (Loan)	100,000.00	100,000.00	0
1995	Orchard Park Commerce Center (Loan)	450,000.00	450,000.00	0
TOTAL LOANS		\$550,000.00	\$550,000.00	\$0.00
GRAND TOTAL		\$3,056,630.00	\$3,056,630.00	\$0.00

\*Costs for administration of grant monies were reimbursed to the Town for years 1977-1980, but administration is now done entirely by Erie County.

\*\*The Housing Rehabilitation Program was administered by the Town for years 1978-1981, but now the program is administered directly by Erie County.

\*\*\*In 1996 the Town began participation in a transportation service with approval of an additional grant for \$34,782 for the purchase of a handicap van. These funds and additional funds used for annual operation and maintenance do not accrue to the Town. The program is administered by Erie County through a not for profit agency and therefore the amount of funding is not shown in this table.

-Covid funds are excluded from this project sheet.



# 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](mailto:openg@orchardparkny.org)

TOWN ENGINEER  
**WAYNE L. BIELER, P.E.**

November 8, 2023

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

**Re: *Consultant Agreement Nussbaumer & Clarke Inc.  
Change Order No. 1  
Elmtree and Dorchester Reconstruction Project***

Dear Board Members:

As discussed for the Elmtree and Dorchester Reconstruction Project to be completed in 2024, Nussbaumer & Clarke Inc. was hired for the design phase of the project due to the current work load and employees of the Orchard Park Engineering Department. Nussbaumer & Clarke, Inc. is requesting additional funds to complete survey mapping of data including the creating of a surface with labels for existing utility information, ROW, and property lines using this Department's survey data, which was provided to them for the Elmtree and Dorchester area. The cost for this work is \$4,350.

If approved, this change order would increase the Contract amount from \$70,000 to \$74,350, representing an increase of 6.21%.

I, therefore recommend that you approve Change Order #1 to the Contract with Nussbaumer & Clarke, Inc., 3556 Lake Shore Road, Suite 500, Buffalo, New York 14219 for the Mapping of Survey Data for the Elmtree and Dorchester Reconstruction Project in an amount not to exceed \$4,350.

Respectfully submitted,

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

Cc: Remy Orffeo, Town Clerk  
David Britton, Nussbaumer & Clarke, Inc.  
Nichole Ruf, Drescher & Malecki  
Timothy Gallagher, Town Attorney  
File #2009.015.1

S:\Town Projects\Elmtree Road & Dorchester Road Reconstruction\Correspondence\Letter to TB Elmtree and Dorchester Reconstruction Project Professional Services CO #1.doc

**Visit the Town's website at [www.orchardparkny.org](http://www.orchardparkny.org)**

**RESOLVED**, that the Town Board does hereby approve the Town Vehicle Policy presented at the Orchard Park Town Board meeting held on November 15, 2023; and be it further

**RESOLVED**, that a copy of this policy will be on file at the Town Clerk's Office.



① TC

**Resolved**, that the Town Board does hereby approve the Highway Superintendent to declare surplus of equipment for 2023; and be it further

**Resolved** , that the Town Board does hereby authorize the Highway Superintendent to sell the 2023 surplus equipment, a list of the 2023 surplus equipment will be on file in the Town Clerk's Office.

List of Surplus Equipment:

2016 Morbark 6600 Wood Hog grinder.

② TL ~~Gene~~

**WHEREAS**, the Orchard Park Sewer Department is in need of a combination sewer jet and vacuum truck to perform additional stormwater duties, and specifications of the vehicle requirements are being prepared by the Highway Superintendent and the Sewer Department; and

**WHEREAS**, the Specifications will be available to be picked up at the Highway Department 4350 South Taylor Rd. Orchard Park, NY 14127 on November 27, 2023; and

**WHEREAS**, the Sewer Department needs to advertise for Bids to purchase the Combination sewer jet and vacuum truck.

**NOW, THEREFORE be it**

**RESOLVED**, that the Town Board does hereby authorize advertisement in the Orchard Park Bee for sealed bids for a Combination Sewer Jet and Vacuum Truck to be opened on December 15, 2023 at 2:15pm at the Orchard Park Municipal Center, Basement Meeting Room upon recommendation of the Highway Superintendent.

③ TC

**WHEREAS**, the Orchard Park Highway Department is in need of a service truck; and

**WHEREAS**, public bids were received and opened on November 13, 2023 at 9:15 am; and

**WHEREAS**, a model year 2023 Chevrolet Silverado 2500HD 4WD Regular Cab Service Truck is available through Joe Basil Chevrolet, Inc., 5111 Transit Road, Depew NY 14043 for \$58,704.00; and

**WHEREAS**, this vehicle is part of the Highway Department's replacement plan and money has been allocated in the 2023 budget (code DB5130 50200) for this purchase.

**NOW, THEREFORE, be it**

**RESOLVED**, that the Town Board does hereby accept the bid from Joe Basil Chevrolet and authorize the purchase of a model year 2023 Chevrolet Silverado 2500HD 4WD Regular Cab Service Truck as specified from Joe Basil Chevrolet, Inc. at an amount not to exceed \$58,704.00 per the recommendation of the Highway Superintendent.

**WHEREAS**, there is a vacancy in the Senior Center for the position of part-time Recreation Attendant; and

**WHEREAS**, Barbara Olandt has the ability and availability to perform the duties of part-time Recreation Attendant for the Senior Center; and

**WHEREAS**, the rate of pay for this non-union hourly position is \$15.50 per hour.

**NOW, THEREFORE** be it

**RESOLVED**, that the Town Board does hereby hire Barbara Olandt effective November 13, 2023 at a rate of \$15.50 per hour to the position of part-time Recreation Attendant with the Orchard Park Senior Center upon the recommendation of the Senior Center Director, Maria Galley,

TC

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

4520 California Rd  
Orchard Park NY 14127  
[leake@orchardparkny.org](mailto:leake@orchardparkny.org) (716) 662-6450 ext.1

11/15/23

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 2023, retro active 11/6/23

Sarah Chojnacki	\$16.00	Program Coordinator 1
-----------------	---------	-----------------------

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

TC

## MEMORANDUM

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

**DATE:** 11/13/2023

**TO:** Town Clerk, Remy Orffeo  
Jenifer Brady  
Building Inspector Tom Minor

**FROM:** Rose Messina

**SUBJECT:** Item(s) for November 15, 2023 - TB Agenda

---

### OLD BUSINESS:

**At the Planning Board meeting of 11/09/2023 the Board recommended the following:**

**With regard to Arch Cutting Tools, 5720 Ellis Road, located on the north side of Ellis Road, Zoned I-1,** that the Town Board **APPROVE** the presented Site Plan and **AUTHORIZE** a Building Permit, to construct a 4,200 square foot addition to an existing building, per the plan received on 8/17/23, 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 9/20/2023 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. The Landscape Plan, received 10/17/23, meets all Green Space regulations with 80% total greenspace. In accordance with Section 144-44(c)(1)(a)(2) a Certified Check amounting to 50% of the \$12,150 Landscaping Estimate Value shall be deposited with the Town Clerk. (\$6,075) Conservation Board approval was granted on 11/7/23.
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. Engineering approval was granted on 11/09/2023.

TC



# TOWN OF ORCHARD PARK

## MEMORANDUM

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

**DATE:** 11/13/2023

**TO:** Town Clerk, Remy Orffeo  
Jenifer Brady  
Building Inspector Tom Minor

**FROM:** Rose Messina

**SUBJECT:** Item(s) for November 15, 2023 - TB Agenda

**NEW BUSINESS:**

Please refer to the Planning Board for review and recommendation of the following request:

1. 5455 Webster Road, located on the south side of Webster Road, west of California Road, Zoned B-2. Bammel Architects, on behalf of their client, is requesting a Building Permit and Site Plan approval to construct a 50'-0" x 42'-0" Building addition. (SBL#161.09-5-3.21)

**BUILDING DEPARTMENT COPY:** Please review above and indicate if any Zoning corrections are needed.

Reviewed by: \_\_\_\_\_ Date: \_\_\_\_\_



# TOWN OF ORCHARD PARK

## MEMORANDUM

TC

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

**DATE:** 11/08/2023

**TO:** Town Clerk, Remy Orffeo  
Jenifer Brady  
Building Inspector Tom Minor

**FROM:** Rose Messina

**SUBJECT:** Item(s) for November 15, 2023 - TB Agenda

**NEW BUSINESS:**

Please refer the following to the Planning & Conservation Boards, for their review and recommendation of the following request:

1. **5701 Burton Road, located on the east side of Burton Road, Zoned R-2.** James Bammel Architects, P.C. is representing "Providence Farm Collective" with a request to construct a 6,000 +/- sq.ft. Pole Barn, Hub Facility. (SBL#184.15-1-5.13)

**BUILDING DEPARTMENT COPY:** Please review above and indicate if any Zoning corrections are needed.

Reviewed by: \_\_\_\_\_ Date: \_\_\_\_\_



## TOWN OF ORCHARD PARK

### BUILDING INSPECTOR MONTHLY REPORT

MONTH OF OCTOBER 2023

BUILDING PERMITS	# OF	VALUE	BUILDING PERMITS	# OF	VALUE
<b>NEW CONSTRUCTION:</b>			ABOVE GROUND POOLS		
SINGLE DWELLING	5	\$2,885,250.00	INGROUND POOLS	5	\$319,831.00
DOUBLE DWELLING			DECKS	5	\$107,792.00
APT/MULTI-FAMILY			ELECTRICAL	7	\$12,403.00
COMMERCIAL	1	\$2,124,186.00	FENCES	10	\$103,930.00
<b>ADDITIONS:</b>			GARAGE / BARN / POLE BARN	3	\$150,000.00
RESIDENTIAL	3	\$464,770.00	GENERATORS	26	\$286,933.00
COMMERCIAL	1	\$21,237.00	MISC. (OPERATING/ DEMO)	4	\$31,700.00
<b>ALTER/REPAIR:</b>			PORCH/PATIO	4	\$114,122.00
RESIDENTIAL	8	\$295,630.00	SHEDS	11	\$77,581.00
COMMERCIAL / TENANT BO	2	\$350,000.00	SIGNS	4	\$2,3025.00
COMMERCIAL MISC.	2	\$51,254.00	RESIDENTIAL MISC.	17	\$221,462.00
<b>SOLAR PV SYSTEM</b>	<b>2</b>	<b>\$77,992.00</b>	<b>TOTAL:</b>	<b>120</b>	<b>\$7,719,098.00</b>

INSPECTIONS TYPE:	NUMBER OF INSPECTIONS PER ZONE				TOTAL
	1	2	3	4	
<b>NEW CONSTRUCTION:</b>					
RESIDENTIAL	9	6	2	4	21
COMMERCIAL	0	0	2	6	8
<b>ADDITIONS:</b>					
RESIDENTIAL	2	2	5	0	9
COMMERCIAL	0	0	0	0	0
<b>ALTER/REPAIR:</b>					
RESIDENTIAL	4	6	5	9	24
COMMERCIAL / TENANT BO	0	0	0	5	5
ABOVE GROUND POOLS	0	0	0	0	0
INGROUND POOLS	1	1	5	0	7
DECKS	0	8	2	7	17
ELECTRICAL	0	0	0	0	0
FENCES	0	1	0	0	1
GARAGE/BARN/POLE BARN	3	2	0	0	5
GENERATORS	3	4	0	1	8
MISC.	4	3	7	19	33
PROPERTY MAINTANICE	3	15	8	51	77
SHEDS	0	1	0	0	1
SIGNS	0	0	0	1	1
SOLAR PV SYSTEM	0	0	0	0	0
FIRE INSPECTIONS	1	1	1	7	10
CLOSEOUT INSPECTIONS	0	0	0	30	30
<b>TOTAL INSPECTIONS:</b>	<b>30</b>	<b>50</b>	<b>37</b>	<b>140</b>	<b>257</b>

Meetings Attended	Town Board	Planning Board	Z B A	Court
Natalie Nawrocki				
John Wittmann			1	
Tom Minor				
Robert Rendon				

ZONING BOARD OF APPEALS:

GRANTED:     

DENIED:      TABLED:     

SIGNATURE: \_\_\_\_\_

DATE: 11/8/2023