



TOWN OF ORCHARD PARK

S 4295 Buffalo Street □ Orchard Park, New York 14127

MEMORANDUM

To: Honorable Town Board
From: Wayne L. Bieler, P.E., CFM Town Engineer
Date: December 6, 2023
Subject: Budget Transfer – Engineering Department

I request that you authorize the following budget transfer within the 2023 Engineering Budget:

\$ 142.50

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

To: Budget Code: A01440 50414
(Engineering Training)

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



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.

December 5, 2023

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

Re: Advertisement of Revised Flood Hazard Information for Smokes Creek

Dear Board Members:

The Town received a request from Insite Development Services, LLC. (Insite) to place an advertisement per National Flood Insurance Program 65.7(b)(1) for intent to revise the flood hazard information generally located between Lake Avenue and the Hammocks Drive, along Smokes Creek approximately 650-feet upstream from Orchard Park road to just downstream of Southwestern Boulevard. This revision of the flood hazard information at this location for the Aldi's commercial development in this area. Insite will reimburse the Town for the cost of the attached advertisement.

I, therefore, recommend that you authorize advertisement per National Flood Insurance Program 65.7(b)(1) for intent to revise the flood hazard information generally located between Lake Avenue and the Hammocks Drive, along Smokes Creek approximately 650-feet upstream from Orchard Park road to just downstream of Southwestern Boulevard.

Respectfully submitted,

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

Attachment

Cc: Remy Orffeo, Town Clerk
Timothy Gallagher, Town Attorney
File #2021.006

S:\Correspondence\Letter to TB requesting resolution for Advertisement of Revision of Flood Hazard Information.doc

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



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ENGINEERING DEPARTMENT

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December 5, 2023

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

Re: Lakeview Reconstruction Project - Bid Award

Dear Board Members:

Bids were opened for the Lakeview Reconstruction Project on November 28, 2023. The project consists of total reconstruction/replacement of Storm Sewers, Waterlines, and Roadway, and partial reconstruction/replacement of the Sanitary Sewers.

The project was bid on a unit price basis for the associated waterline, sanitary sewer, storm sewer, and road restoration work items. The Engineering Department has reviewed those itemized prices of the four contractors who submitted bids. The Project also included two Alternates for cold milling the roadway and construction of a Park maintenance driveway and parking lot. This area can be used as a staging area for the current project and for future highway snow storage as well as various park uses. The Orchard Park Engineering Department performed a review of the four bids submitted, and compared them against the Engineer's estimate of \$3,890,229.68. The lowest responsible bidder with base bid and the two alternates is \$3,787,258.60. As discussed, the low bidder does switch from Occhino Corporation if Alternates #1 and #2 are awarded. Both Occhino Corporation and Edbauer Construction reference checks were very positive and could complete the project.

Attached is an extended tabulation of bid results showing the itemized bid amounts from each bidder. Contractor submissions were checked for math errors. No errors were identified. The lowest responsible bidder was McLaughlin Construction Corp. DBA Edbauer Construction (Edbauer Construction) for \$3,787,258.60 with A1 and A2 Alternatives.

There is presently approximately 2,791,397 plus interest allocated under Capital Accounting Projects, Lakeview HWY DB008, Lakeview Water FX011 and Lakeview Sanitary Sewer G0011 for this project work. An additional \$995,861.60 is recommended. This includes \$100,000.00 contingency and typically a unit price bid does not cost 100 % of contract.

Edbauer Construction has successfully completed various storm sewer, water, sanitary sewer, and road reconstruction projects in the past. The contractor provided references on relevant experience and all gave positive comments.

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

- 1) Award the contract for the Lakeview Reconstruction Project to the lowest responsible bidder, Edbauer Construction, 2790 Clinton Street, West Seneca, New York 14224 in the amount not to exceed \$3,787,258.60 (Base Bid and A1 & A2 Alternates).
- 2) Authorize the additional drawdown of \$995,862 from Highway bond funding approved but not issued on December 15, 2021.

Respectfully submitted,

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

Attachment

Cc: Remy Orfeo, Town Clerk Timothy Gallagher, Town Attorney Andy Slotman, OP Highway Superintendent
Edbauer Construction File #2017.018

S:\Town Projects\Lakeview Avenue Reconstruction\Bidding\BID AWARD 12-4-2023.doc

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



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TOWN ENGINEER
WAYNE L. BIELER, P.E.

December 5, 2023

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

**Re: Erie County Department of Public Work Permit & Consultant Agreement
Traffic Study for the intersection of Lake Avenue & North Benzing.**

Dear Board Members:

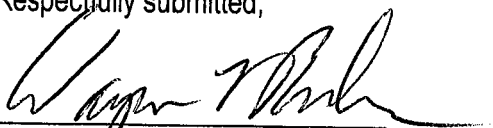
As you may already know, over the years, there has been an increase in traffic patterns through the North Benzing and Lake Avenue intersection. Many residence have also called to complain about the amount of time it take to make a left turn onto Lake Avenue from North Benzing. The residents are requesting that the signal be change from flashing yellow to 3 phase. Even through the signal is on a County Highway, it is owned and maintained be the Town of Orchard Park. In order to change its function, a traffic study needs to be conducted. Once the study is complete, it needs to be reviewed and approved by Erie County Department of Public Work. The cost of the review permit is \$600.00.

Funding is allocated under Account BO3310 50444, "Traffic Control Contractual Expenses".

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

- 1) Authorize the Supervisor to sign the agreement with Passero Engineering Architecture, 242 West Main Street, Suite 100, Rochester, NY 14614, to provide professional services for a traffic study in the amount not to exceed \$8,200.00.
- 2) Authorize payment of the associate ECDPW application permit in the amount of \$600.00.

Respectfully submitted,


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

Cc: Remy Orfeo, Town Clerk
File Timothy Gallagher, Town Attorney

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

12/6/23

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 affective 12/4

Lily Buckwalter \$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

TL

MEMORANDUM

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

DATE: 11/29/2023

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

FROM: Rose Messina

SUBJECT: Corrected - Item(s) for December 6, 2023 - TB Agenda

NEW BUSINESS:

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

1. Birdsong Lakes LLC is requesting to rezone 63.7+/-acres in Part 5 of the Birdsong Development, from R-1 to a Conservation Management Overlay (CMO) District.

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

Reviewed by: _____ Date: _____



TOWN OF ORCHARD PARK

TC

MEMORANDUM

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

DATE: 11/29/2023

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

FROM: Rose Messina

SUBJECT: Item for December 6, 2023 - TB Agenda (additional item)

NEW BUSINESS:

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

1. 3697 Abbott Road, located on the east side of Abbott Road, north of Webster Road, Zoned B-2. Tom Kam, of Armor Heating, is requesting to erect a fence. (SBL#161.09-1-3)

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

Reviewed by: _____ Date: _____



Erie County Water Authority

295 Main Street • Room 350 • Buffalo, NY 14203-2494
716-849-8484 • Fax 716-849-8463

Office of the Secretary

November 17, 2023

Hon. Remy Orffeo
Town Clerk
Orchard Park Town Hall
4295 S. Buffalo St.
Orchard Park, NY 14127

Dear Clerk Orffeo:

Enclosed herewith please find an Extract from the Minutes of the Meeting of the Erie County Water Authority held on Thursday, November 16, 2023 amending the Authority's Tariff effective January 1, 2024 and a copy of the actual amendments at Schedule "A".

Also enclosed please find a complete copy of the Authority's Tariff including these amendments. This copy replaces the Tariff you currently maintain.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,

ERIE COUNTY WATER AUTHORITY

A handwritten signature in black ink, appearing to read "TDM", with a long horizontal flourish extending to the right.

Terrence D. McCracken
Secretary to the Authority

TDM:alh
Enclosures

CERTIFICATION

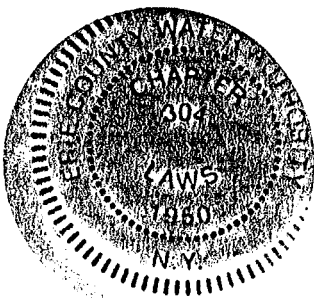
I, **TERRENCE D. McCracken**, the duly elected and qualified **SECRETARY TO THE AUTHORITY** to the **ERIE COUNTY WATER AUTHORITY**, a corporation existing under the Laws of the State of New York, do hereby certify that I have compared the annexed resolution which is an extract from the Minutes of the Meeting of the Authority held in the office, 295 Main Street, Room 350, Buffalo, New York, on the 16th day of November 2023 a quorum being present and that said resolution is a true and correct copy of the resolution so adopted and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said corporation this 16th day of November 2023.



Terrence D. McCracken
Secretary to the Authority

(SEAL)



**EXTRACT FROM THE MINUTES OF THE MEETING OF THE
ERIE COUNTY WATER AUTHORITY
NOVEMBER 16, 2023**

At a regular meeting of the Erie County Water Authority held in the office, 295 Main Street, Room 350, Buffalo, New York, on the 16th day of November 2023, a quorum being present, the following resolution was adopted:

WHEREAS, the Act creating the Erie County Water Authority (the "Authority") and the General Bond Resolutions establishing issuance of all Authority bonds mandate: that the Authority maintain rates and fees sufficient to operate and maintain the waterworks system; to pay the principal and interest on its Revenue Bonds as they become due and payable; and to maintain reserves for capital improvements as well as for all obligations and indebtedness of the Authority; and

WHEREAS, the Authority's Executive and Senior Staff have the responsibility to review, analyze and make recommendations relative to charges and procedures contained in the Authority's Tariff; and

WHEREAS, Terrence D. McCracken, Secretary to the Authority, Mark S. Carney, General Counsel, Joyce A. Tomaka, Chief Financial Officer and Charles E. Eaton, Chief Operating Officer have reviewed the above recommendations and changes and concur with them; and

WHEREAS, after considering all the above recommendations, the Authority has determined that for the best interest of the public to maintain its quality water supply that the Tariff should be amended as set forth in the attached Schedule "A";

NOW, THEREFORE, BE IT RESOLVED:

That the Authority's Tariff, as previously amended, is hereby revised and amended in accordance with Schedule "A" attached hereto and made part hereof, to become effective at 12:01 a.m. January 1, 2024; and be it further

RESOLVED: That the Secretary to the Authority is hereby authorized and directed to file in the office of the Clerk of the County of Erie a duly certified copy of this resolution along with a copy of the revised pages to the Tariff and to publish a copy of these amendments authorizing the abovementioned changes in two newspapers having a general circulation in the County pursuant to Section 1054, Subdivision 10, of the Public Authorities Law; and be it further

RESOLVED: That the Secretary to the Authority, is further directed to forward a copy of this resolution along with a copy of the revised pages of the Tariff to the Town, Village or City Clerks of each of the towns, villages or cities receiving water from the Authority and that the Secretary to the Authority is further directed to furnish a duly certified copy of this resolution along with a copy of the revised pages of the Tariff to all Fiscal Agents named in the Authority's Bond Resolutions; and be it further

RESOLVED: The Board of Commissioners directs the Secretary of the Authority to post the amended Tariff on the Authority's website.

A motion was made by Ms. LaGree, seconded by Ms. Iannello and carried to adopt the foregoing resolution.