



# TOWN OF ORCHARD PARK

S 4295 South Buffalo Street Orchard Park, New York 14127-2609

SENIOR COUNCILMAN  
EUGENE MAJCHRZAK

COUNCILMAN  
CONOR T. FLYNN

TOWN CLERK  
INTERIM PLANNING COORDINATOR  
REMY C. ORFFEO

TOWN ATTORNEY  
JOHN C. BAILEY

TOWN JUSTICES  
EDWARD A. PACE  
JORGE DE ROSAS

SUPT. OF HIGHWAYS  
FREDERICK J. PIASECKI, JR.

CHIEF OF POLICE  
E. JOSEPH WEHRFRITZ

SENIOR CENTER DIRECTOR  
DEBRA SANTIAGO

COORDINATOR  
COMMUNITY ACTIVITY CENTER  
SUE HEMINGWAY

BUILDING INSPECTOR  
STEVEN BREMER

TOWN ASSESSOR  
DAN STANFORD  
SCAA

TOWN ENGINEER  
WAYNE L. BIELER, P.E.

RECREATION DIRECTOR  
EDWARD J. LEAK, CPRP

ANIMAL CONTROL OFFICER  
KEVIN MASTERSON

March 3, 2021

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

**Re: Public Employer Health Emergency Plan**

Dear Board Members:

To meet the requirements of the New York State Labor Law the Town of Orchard Park must adopted the Public Employer Health Emergency Plan by April 1, 2021. The Plan given to all Department Managers for their review and input. In addition, under the New York State Labor Law, all Unions in the Town received the plan according to the requirements of the law for their review. The Department Heads nor the Unions had any comments on the Plan.

I therefore recommend that the Town Board adopted the Plan and authorize the Deputy Supervisor to sign the Public Employer Health Emergency Plan. The Plan will be incorporated into the Town's Employee handbook and in the Comprehensive Emergency Management Plan.

Respectfully submitted,

Richard J. Mrugalski  
Emergency Manager

Enc.

cc: Bob Benning, Assistant Emergency Manager  
Jordan Kellerman, Assistant Emergency Manager  
Town Clerk  
File

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

Z:\Emergency Management\OP Management Plan\2020 Plan\Employee Health Emergency\Letter to TB Public Employer Health Emergency Plan.doc

**RESOLVED**, that the Town Board does hereby appoint Ron Henning to the position of Seasonal Compost employee, to be effective March 18, 2021 with a pay rate of \$20.40 per hour (the same rate as the previous year) coding SR8161 50104, as recommended by the Highway Supervisor.

7C

**JON W. PIEROWICZ**  
JPierowicz@gmail.com

March 10, 2021

Via USPS and Email  
orffeor@orchardparkny.org

Orchard Park Town Clerk  
Remy C. Orfeo  
4295 S Buffalo Street  
Orchard Park, NY 14127

Dear Mr. Orfeo:

Re: Resignation from Position on Orchard Park Board of Assessment  
Review

This letter is to serve as notice of my resignation from my position as a board member of the Town of Orchard Park Board of Assessment Review effective as of March 10, 2021. It has been a pleasure to serve on the Board, but given my existing professional and personal commitments, I will be unable to devote sufficient time to service on the Board. Should you need any additional information or have any questions, please feel free to contact me at the email address listed above.

Very truly yours,

  
Jon W. Pierowicz



# TOWN OF ORCHARD PARK COMPOST FACILITY

Returning quality products back to nature in an environmentally friendly way



Compost Facility  
6909 Milestrip Road, Orchard Park, New York 14127  
Phone (716) 667-6066

Frederick J. Piasecki, Jr., Compost Facility Director  
4350 South Taylor Road, Orchard Park, New York 14127  
Phone (716) 662-6442 Fax (716) 662-2187

March 15, 2021

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

Re: Purchase of a new 2021  
John Deere 624 P Wheel loader

Dear Board Members:

In accordance with our equipment replacement program, we are looking to purchase a new 2021 John Deere wheel loader. This new loader will be replacing an existing wheel loader which is a 2009 John Deere loader now 12 years old.

The cost of the new 2021 John Deere loader is \$189,286.00, purchase on New York State Bid and monies are in the current budget.

Respectfully Submitted  
Frederick J. Piasecki, Jr.  
Compost Facility Director



# 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.**

March 16, 2021

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

**Re: Pleasant Acres West Subdivision, Part 3 Phase 1**  
**P.I.P. #2019-02**  
**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 new resolution reflecting the price change for the connection of four (4) decorative street light fixtures on Golden Crescent Way and one (1) on Wentworth Drive in the Pleasant Acres West Part 3 Phase1 Subdivision, as shown on the attached map. At present, there are fourteen (14) single-family homes currently planned to be constructed in Part 3 Phase 1 of the Subdivision.

The L.E.D. luminaires, which are owned by the Town, have been installed under PIP # 2019-02. The Town will maintain the poles, bulbs, and the electric eye of the luminaires, 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 \$210.15 (5). 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 five (5) L.E.D. decorative light fixtures in the Pleasant Acres West Part 3 Phase1 Subdivision PIP #2019-02 at an estimated annual increased energy cost of \$210.15 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  
Tom Malecki, Drescher & Malecki, LLP  
Andy Slotman, Sewer, Water & Lighting Department  
File #94.051.6

visit the town's website at [www.orchardparkny.org](http://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](mailto:openg@orchardparkny.org)

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

March 16, 2021

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

**Re: Highway Dept. Generator Replacement, SW&L/Parks Bldg. Generator Installation Project  
Bid Award**

Dear Board Members:

Bids were opened for the above-mentioned project on March 12, 2021, and the 3 apparent low bidders have been called in and de-scoped. This project includes the replacement of the automatic emergency stand-by generator located at the Highway building, as well as the installation of a new automatic emergency standby generator for the Sewer, Water & Lighting and Parks/Grounds building.

After the de-scoping meetings, it is apparent that Numarco, Inc. is the lowest responsible bidder and is qualified to complete the work. They have performed well for the Town in the past and I have no reservation about their abilities to complete the work.

The total cost of the Highway generator replacement is \$31,448 and the SW&L, Parks/Grounds generator installation is \$15,152. The overall cost of the entire project is \$46,600.00. This figure is below the engineers estimate for the job. The Town has appropriated adequate funding for the project under capital account AB013 "Highway Building, Sewer, Water & Lighting and Parks Building Generator Installations Project".

I, therefore, recommend that you award the contract for the Highway Generator Replacement, SW&L/Parks Generator Installation Project to the lowest responsible bidder, Numarco, Inc., 1021 Maple Rd, Elma, NY 14059, for a cost not to exceed \$46,600.00.

Respectfully submitted,

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

cc: Timothy Gallagher, Town Attorney  
File #19.005

Remy Orfeo, Town Clerk

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

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

March 16, 2021

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

**Re: C&S Consultant Agreement: BridgeNY Program**

Dear Board Members:

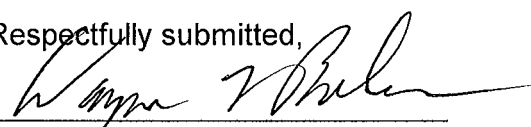
The consultant assistance is needed, as discussed, for the Town of Orchard Park with applying for funding through the New York State's BridgeNY Program.

I selected the engineering firm of C&S Companies to be the Town's consultant for the BridgeNY Program. I have met with representatives of that firm to review contract language, refined the scope of services to determine, in advance, the need for additional services, optional service elements, which may be required on this project, are also included in this contract. See attachment for tasks included in the scope of work of the agreement.

There is presently \$68,759.00 plus interest allocated under Capital Project DB002, Bridge Emergency Repairs for funding.

I, therefore, recommend that you authorize the acting Supervisor to sign the agreement with C&S Companies, 141 Elm Street, Suite 100, Buffalo, New York, 14203, to provide professional services for the BridgeNY Program in an amount not to exceed \$4,000.00.

Respectfully submitted,

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

Attachment

Cc: Remy Orffeo, Town Clerk  
Tom Malecki, Drescher & Malecki, LLP  
File 2002.005.1  
Fred Piasecki, Highway Superintendent  
Timothy Gallagher, Town Attorney

S:\Town Projects\Bridge & Culvert Inventory 2002.020\BridgeNY Program 2021\Consultant Approval C&S --  
Town Board

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

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

March 16, 2021

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

**Re: Consultant Agreement  
Lakeview Avenue Reconstruction Project  
Pavement Cores & Soil Borings**

Dear Board Members:

As we have discussed, to complete the Lakeview Avenue Reconstruction bid documents and design work, existing soil conditions along the project needs to be known. With the final design work underway, test bore locations were marked in the field and depths determined depending on utility depths' standards. The Town of Orchard Park will directly contract the test boring services for Lakeview Avenue Reconstruction and add the findings the bid documents as well as the Town's soil boring records book.

In order to keep the project on schedule; and assemble bid documents pavement cores and soil-boring work must be completed. I have solicited services from three local consultant, NW Contracting, who is qualified and capable to complete this work in the necessary time frame.

The test boring work will include three pavement core locations (4" asphalt core, sample subbase to determine thickness, spit spoon samples to 3 feet), three soil borings to a depth of 10-feet for the fill areas and deeper utility work, and all associated boring reports. All boring locations are to be tied into survey with elevations. NW Contracting estimated the cost to complete the above mentioned work is \$2,785.00. The estimated time necessary to complete the work is one day.

I, therefore, recommend that you authorize the Supervisor to sign an agreement with NW Contracting, 3553 Crittenden Rd., Alden, NY 14004, to provide pavement cores & soil borings for the Lakeview Avenue Reconstruction Project in an amount not to exceed \$2,785.00.

Respectfully submitted,

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

Attachments

cc: Remy Orfeo, Town Clerk  
Tom Malecki, Dresser & Malecki  
Timothy Gallagher, Town Attorney  
File 2017.018





# TOWN OF ORCHARD PARK

## MEMORANDUM

TC

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

**DATE:** March 12, 2021

**TO:** Town Clerk, Remy Orffeo  
✓ Kathy Swarbrick  
Building Inspector Steve Bremer

**FROM:** Rose Messina

**SUBJECT:** Item(s) for March 17, 2021 - TB Agenda

---

### OLD BUSINESS:

At the Planning Board meeting held on 3/11/21 the following was recommended to the Town Board:

1. **With regards to Benderson Development**, the Board recommends that the request to construct a stand-alone, 1,910-sq.ft. "Mighty Taco" Restaurant with a drive-thru and on-site improvements, at 3340-3350 Southwestern Boulevard, located on the north side of Southwestern Boulevard in the Commons/Creekside Plaza, Zoned B-1, be **APPROVED**, based on the following:
  1. All public notices have been filed.
  2. The Town Board granted a Special Exception Use Permit on 3/18/20.
  3. The Zoning Board of Appeals granted an Area Variance to allow parking spaces within 50-feet of the street line on 2/18/20.
  4. This is a Type 1 SEQR action based on the submitted Full EAF Parts 1 & 2, and a Negative Declaration is recommended.
  5. 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.
  6. No outside storage or display is permitted.
  7. The Landscape Plan, received 1/02/20, meets all Green Space regulations with 22% Green Space. In accordance with Section 144-44(c)(1)(a)(2), a Certified Check amounting to 50% of the \$4,065 Landscaping Estimate Value shall be deposited with the Town Clerk (\$2,032.50). Conservation Board approval was granted on 1/7/2020.
  8. Dumpsters as shown shall be screened, along with any additional dumpsters, in accordance with Section 144-25 of the Town Code.

9. A Drive-thru trip generation and queuing study was submitted by SRF Associates on 1/9/2020 and compared the 3340 - 3350 Southwestern Boulevard proposed location with three (3) other local Mighty Tacos. The study indicated that any overflow in the queuing would be handled in the Mighty Taco parking lot and would have no impact on the "Commons-Creekside Plaza".
  10. The Board tabled their review of this project, at the February 11, 2021 Planning meeting, citing existing code violations at another Benderson Development Plaza. The Town Building Inspector reports that demolition and clean-up efforts took place at the site. The members are satisfied with those efforts.
  11. Benderson Development, at their expense on behalf of the Town of Orchard Park, is to provide the Town of Orchard Park Assessor with an "independent" appraisal for the completed project by a Certified Commercial Appraiser.
  12. Town Engineering Approval was granted on 2/11/2021.
2. **With regards to Eco Serve**, 3573 North Buffalo Road the Board recommends that the Town Board GRANT Site Plan Approval and issue a Building Permit to expand the existing parking lot to 22 spaces total, per the plans received on 2/12/21, 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 Part 1, and a Negative Declaration is recommended.
  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 1/27/21, meets all Green Space regulations with 58.9% Total Green Space. In accordance with Section 144-44(c)(1)(a)(2), a Certified Check amounting to 50% of the \$1,500 Landscaping Estimate Value shall be deposited with the Town Clerk. (\$750) Conservation Board approval was granted on 2/2/21.
  6. There are no Dumpsters at this site.
  7. The AOD granted a "Certificate of Appropriateness" on 12/15/2020.
  8. Town Engineering Approval was granted on 3/09/21.
3. **With regards to Bliss Office Building**, 4370 South Taylor Road, the Board to recommend that the Town Board GRANT Site Plan Approval and issue a Building Permit to construct a 2-story 12,000 gsf Office Building, with 44-parking spaces and on-site utility improvements, per the plans received on 5/15/2020, 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 Part 1, and a Negative Declaration is recommended.

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 1/27/21, meets all Green Space regulations with 61.1% Total Green Space. In accordance with Section 144-44(c)(1)(a)(2), a Certified Check amounting to 50% of the \$16,825 Landscaping Estimate Value shall be deposited with the Town Clerk (\$8,412.50), Conservation Board approval was granted on 3/03/21.
6. Dumpsters as shown shall be screened, along with any additional dumpsters, in accordance with Section 144-25 of the Town Code.
7. Town Engineering Approval was granted on 3/09/21.
8. Construction hours are to be 8:00 A.M. to 5:00 P.M.
9. The Petitioner is to review with the neighbor screening and advise the Board of the outcome of that discussion.

NEW BUSINESS: Please refer to Planning & Conservation Boards.

TC

1. 5732 Big Tree Road, located on the north side of Big Tree Road (20A), west of 219 Expressway, Zoned I-1, Polymer Conversions is requesting a Building Permit and Site Plan Approval to construct expansions on the north and west sides of their existing building. (SBL#161.18-2-15)

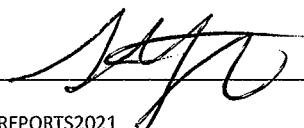
BUILDING PERMITS	# OF	VALUE	BUILDING PERMITS	# OF	VALUE
<b>NEW CONSTRUCTION:</b>			ABOVE GROUND POOLS		
SINGLE DWELLING			INGROUND POOLS		
DOUBLE DWELLING			DECKS		
APT/MULTI-FAMILY			ELECTRICAL	8	14,075
COMMERCIAL			FENCES	4	21,254
<b>ADDITIONS:</b>			GARAGE / BARN / POLE BARN	1	32,000
RESIDENTIAL			GENERATORS	8	72,021
COMMERCIAL			MISC.	4	121,900
<b>ALTER/REPAIR:</b>			PORCH/PATIO		
RESIDENTIAL	9	215,630	SHEDS	1	2,500
COMMERCIAL / TENANT BO	2	225,000	SIGNS	4	14,100
SOLAR PV SYSTEM	1	25,400	<b>TOTAL:</b>	<b>42</b>	<b>743,880</b>

INSPECTIONS TYPE:	NUMBER OF INSPECTIONS PER ZONE				TOTAL
	1	2	3	4	
<b>NEW CONSTRUCTION:</b>					
RESIDENTIAL	8	6	12	4	30
COMMERCIAL					
<b>ADDITIONS:</b>					
RESIDENTIAL	2	4	11	5	22
COMMERCIAL				4	4
<b>ALTER/REPAIR:</b>					
RESIDENTIAL	11	5	10	6	32
COMMERCIAL / TENANT BO		1	1	8	10
ABOVE GROUND POOLS					
INGROUND POOLS					
DECKS		1			1
ELECTRICAL	6	4	5	8	23
FENCES	2	3	2	3	10
GARAGE/BARN/POLE BARN	3		1		4
GENERATORS	2	3	6	1	12
MISC.	6	7	8	8	29
PROPERTY MAINTENANCE		2	6	4	12
SHEDS	2	2	1	1	6
SIGNS					
SOLAR PV SYSTEM					
FIRE INSPECTIONS	2	5	10	21	38
CLOSEOUT INSPECTIONS	5	10	9	6	30
<b>TOTAL INSPECTIONS:</b>	<b>49</b>	<b>53</b>	<b>82</b>	<b>79</b>	<b>263</b>

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

ZONING BOARD OF APPEALS: GRANTED: 2 DENIED: 1

REMARKS:

SIGNATURE:  DATE: 3/2/21