

WHEREAS, Section 119-o of the General Municipal Law permits municipal corporations to enter into agreements for the performance amongst themselves or one for the other of their respective functions, powers and duties on a cooperative or contract basis or for the provision of a joint service; and

WHEREAS, the parties hereto have experienced within their jurisdictions a potential need for the joint response of both participants', police tactical teams to deal with certain criminal acts or threats including but not limited to barricaded suspects, hostage takers, or other persons committing violent acts that may be more effectively dealt with through the use of a specially trained tactical team rather than standard police operations; and

WHEREAS, Intermunicipal agreements may be in effect for up to five years §119-n (2) (j) agreement.

NOW, THEREFORE be it

RESOLVED, the parties do mutually agree pursuant to the terms and provisions of this Tactical Team Cooperation Agreement as per attached "Intermunicipal Agreement"; and be it further

RESOLVED, that the Town Supervisor is authorized to execute the "Intermunicipal Agreement – Police Tactical Team Cooperation"; and be it further

RESOLVED, that a copy of this agreement is to be kept in the Town Clerk's Office; and be it further

RESOLVED, that this agreement shall terminate on December 31, 2026. The terms herein shall continue, however, until both legislative bodies have held their annual organizational meetings. At such meetings, this agreement shall be considered for renewal, and if approved by each legislative body, such renewal shall be made effective January 1, 2027. Either party may terminate any rights and obligations under this Agreement at any time by giving thirty days written notice of its intent to withdraw from this Agreement.

TC

RESOLVED, that the Town Board does hereby move PSD Chelsea Schreiber from Part-time status to seasonal status from 9/22/2022 to 12/22/2022.

MOU Regarding Year End Buybacks

WHEREAS, The Town of Orchard Park (herein "Town") and the Town of Orchard Park Police Benevolent Association (herein "Association") have Agreed that all unit members will be offered year end buybacks at a time other than previously negotiated in the collective bargaining agreement (herein "CBA"); and

WHEREAS, due to the scheduled future leave of absence of the Town's Payroll Clerk and the complexity of the buyback process and

WHEREAS, due to the complexity of the buyout process and

WHEREAS, to help relieve the workload of the Town employee who will be taking on the payroll responsibilities

NOW, THEREFOR BE IT, the parties agree as follows:

- 1) The membership of the Association will submit and accept all accrual buybacks to be paid in the last pay period in the month of September. This will include vacation, holiday, personal leave and compensatory time.
- 2) No future buybacks will occur nor will be allowed through the end of the 2022 calendar year.
- 3) The parties agree that this shall not and will not constitute past practice.
- 4) The parties agree that members of the Association will avoid, if possible, submitting 2023 buybacks until the return of the payroll clerk.

Eugene L. Majchrzak

Orchard Park Town Supervisor
Eugene L. Majchrzak

9/4/22

Date

James Mazur

Orchard Park PBA President
James Mazur

9/8/2022

Date

TC

MOU Regarding Year End Buybacks

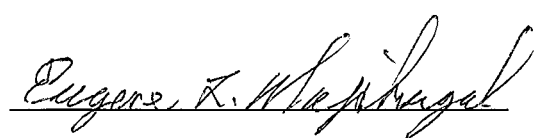
WHEREAS, The Town of Orchard Park (herein "Town") and the Town of Orchard Park Command Officers Association (herein "Association") have Agreed that all unit members will receive year end buybacks at a time other than previously negotiated in the collective bargaining agreement (herein "CBA"); and

WHEREAS, due to the scheduled future leave of absence of the Town's Payroll Clerk and the complexity of the buyback process and

WHEREAS, to help relieve the workload of the Town employee who will be taking on the payroll responsibilities,

NOW, THEREFOR BE IT, the parties agree as follows:

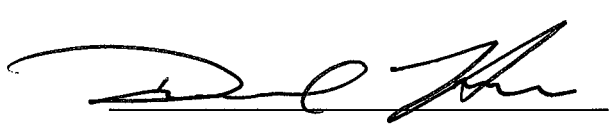
- 1) The membership of the Association will submit and accept all accrual buybacks to be paid in the last pay period in the month of September. This will include vacation, holiday, and compensatory time.
- 2) No future buybacks will occur nor will be allowed through the end of the 2022 calendar year.
- 3) The parties agree that this shall not and will not constitute past practice.
- 4) The parties agree that members of the Association will avoid, if possible, submitting 2023 buybacks until March 1st 2023.



Orchard Park Town Supervisor
Eugene L. Majchrzak

9/9/22

Date



Orchard Park COA President
Daniel Honer

9/8/22

Date



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.

September 19, 2022

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

**Re: Riley Meadows West Subdivision Phase 4 - Map, Plan and Report
Orchard Park Drainage District OPDD 3-10**

Dear Board Members:

Attached is a petition, and metes and bounds received by the Town of Orchard Park pursuant to Town Law Section 191, that the Town Board establish a Drainage District for the Riley Meadows West Subdivision Phase 4. The map, plan and report for the proposed Orchard Park Drainage District OPDD 3-10 for the Riley Meadows West Subdivision Phase 4 prepared by Carmina Wood Design in accordance with Article 12 of the Town Law is available at the Town Clerk's office for public review.

The project involves the installation of the Subdivision's stormwater drainage system, which includes the piping infrastructure, roadway catch basins, bioretention pond, and detention basin systems for stormwater quality. The construction cost of the Subdivision's stormwater drainage system is estimated at \$25,000, which is the Subdivision development costs associated with drainage infrastructure construction only and will be bore entirely by the developer (Nexgen Development II, LLC).

The establishment of a Drainage District is in the public interest because the district will service prospective new homeowners with the required drainage control of water quality and quantity per the Federal EPA Environmental Law, the Clean Water Act and Stormwater Phase II regulations. The district formation is to cover additional costs the Town will encounter due to this unfunded mandate, as well as provide necessary maintenance to the stormwater system.

For the drainage district creation, the applicant has been completed and submitted the Short EAF, Parts 1 for this Unlisted SEQR action. The Planning Board has completed a Full Environmental Assessment Form with a coordinated review being conducted with the Town of Orchard Park acting as Lead Agency for the Subdivision Approval.

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

Honorable Town Board
September 19, 2022
Page 2

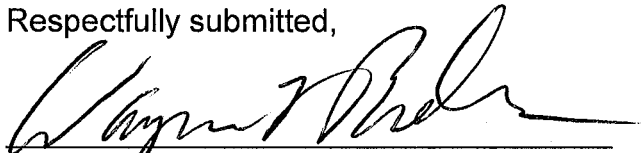
I, therefore, recommend that you adopt the following resolutions:

Accept the map, plan and report in accordance with Section 191 of the Town Law for the establishment of the Orchard Park Drainage District OPDD 3-10 for Riley Meadows West Subdivision Phase 4.

Authorize the scheduling of a Public Hearing on the creation of Orchard Park Drainage District 3-10 for the Riley Meadows West Subdivision Phase 4 at your regular meeting of October 19, 2022.

Subsequent to the public hearing and completion of the SEQR process, you may then adopt the necessary orders establishing the district. Only after the district creation can the associated Subdivision project proceed with the Planning Board final approval.

Respectfully submitted,



Wayne L. Bieler, P.E.
Town Engineer

Attachments

Cc: Remy Orfeo, Town Clerk
Timothy Gallagher, Town Attorney
Dan Stanford, Town Assessor
Ed Leak, Parks & Grounds
Andy Slotman, Highway Superintendent
Planning Board
File 2007.023.3



TOWN OF ORCHARD PARK

ENGINEERING DEPARTMENT

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TOWN ENGINEER
WAYNE L. BIELER, P.E.

September 19, 2022

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

**Re: Best Brothers Storage Facility – 3538 California Road
ECWA Hydrant Fees**

Dear Board Members:

As requested by the Erie County Water Authority (ECWA), the Town of Orchard Park is required to pass a resolution to pay the hydrant fee amounts per the lease management agreement between the Town of Orchard Park and ECWA upon acceptance of installation with the Best Brothers Storage Facility at 3538 California Road

The total construction of the above referenced project will result in one public hydrant in service. There is no public hydrant present in the general area along California Road at the above referenced project location and is warranted for public fire protection.

I, therefore, recommend that you authorize the payment of the hydrant fees amount upon acceptance of the Best Brothers Storage Facility at 3538 California Road installation of associated public hydrant along California Road in OP Water District No. 17 per the lease management between the Town of Orchard Park and ECWA.

Respectfully submitted,

Wayne L. Bieler, P.E.
Town Engineer

Cc: Remy Orffeo, Town Clerk
Timothy Gallagher, Town Attorney
File #2022.005



TOWN OF ORCHARD PARK

ENGINEERING DEPARTMENT

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TOWN ENGINEER
WAYNE L. BIELER, P.E.

September 19, 2022

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

**Re: Additional Warranted Hydrant on Hazel Court
ECWA Hydrant Fees**

Dear Board Members:

As requested by the Erie County Water Authority (ECWA), the Town of Orchard Park is required to pass a resolution to pay the hydrant fee amount upon acceptance of the additional Warranted Hydrant on Hazel Court per the lease management agreement between the Town of Orchard Park and ECWA.

The total construction of the above referenced project will result in one public hydrant in service in a direct ECWA service area. This additional public hydrant along Hazel Court is warranted for public fire protection; presently there is a 1,100-foot plus spacing between existing hydrants, which is not adequate for proper fire protection of the neighborhood.

I, therefore, recommend that you authorize the payment of the hydrant fees amount upon acceptance of the public hydrant along Hazel Court in ECWA direct service area per the lease management agreement between the Town of Orchard Park and ECWA.

Respectfully submitted,

Wayne L. Bieler, P.E.
Town Engineer

Cc: Remy Orffeo, Town Clerk
Timothy Gallagher, Town Attorney
File: ECWA



TOWN OF ORCHARD PARK

ENGINEERING DEPARTMENT

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TOWN ENGINEER
WAYNE L. BIELER, P.E.

September 19, 2022

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

**Re: Municipal Building
Backflow Prevention Devices Replacement Project**

Dear Board Members:

The Town of Orchard Park is required to test backflow prevention devices in Town owned facilities. Over the last few years the testing of the Municipal Building backflow prevention devices have become problematic too test. In addition, the four valves that are used to control the water to and from the devices have become difficult to operate. The two backflow devices and valves are over 30 years old and have exceeded their life span. The backflow prevention devices where tested this year and both passed

The Engineering Department has contact three plumbing contractors to obtain quotes to replace the four valves and two backflow prevention devices. The three quotes listed are in order of lowest to highest:

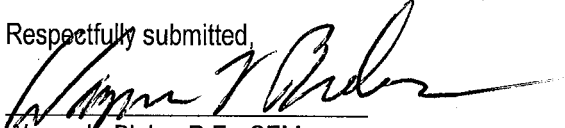
JW Danforth Company	\$ 8,800.00
Numarco, Inc.	\$ 8,850.00
MKS Plumbing Corp.	\$10,800.00

The quote for this project was John W. Danforth Company. The company has been in business since 1884 and has successfully completed various backflow prevention testing and installation projects in the past for Orchard Park. This company is more than capable of completing the proposed testing and repair of the various backflow prevention devices. This company is more than capable of completing the work to replace the two-backflow prevention devices and four valve.

There is presently \$72,224 plus interest allocated under Capitol Project AB007 Orchard Park Municipal Building Project.

I, therefore, recommend that you award the contract for the replacement of the two backflow prevention devices and four valves for the OP Municipal Building to John W. Danforth Company, 300 Colvin Woods Parkway, Tonawanda, New York, 14150, in an amount not to exceed \$8,800.00.

Respectfully submitted,


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

Attachment

cc: Remy Orfeo, Town Clerk Timothy Gallagher, Town Attorney
Bob Benning, Maintenance File #2006.040.20

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



TOWN OF ORCHARD PARK

ENGINEERING DEPARTMENT

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September 19, 2022

TOWN ENGINEER
WAYNE L. BIELER, P.E.

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

**Re: Brush Mountain Community Center Bocce Ball Courts Project
Bid Award**

Dear Board Members:

Bids were opened for the Brush Mountain Community Center Bocce Ball Courts Project on September 19, 2022. The Project includes all necessary excavation and materials required to install three bocce ball courts equipped with a drainage system per the Contract Drawings and the Specifications.

Attached is an extended tabulation of bid results showing the itemized bid amounts from each Bidder. This project is a lump sum bid. The low bidder for this project is Matt Kolo Excavation.

There is presently \$402,000 +/- allocated under Parks & Recreation T20079 to fund this project.

I, therefore, recommend that you award the contract for the Brush Mountain Community Center Bocce Ball Courts Project to the lowest responsible bidder, Matt Kolo Excavation, 7631 Zimmerman Road, Hamburg NY 14075, in the amount not to exceed \$70,950.00.

Respectfully submitted,

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

Attachment

Cc: Remy Orfeo, Town Clerk
Matt Kolo Excavating

Timothy Gallagher, Town Attorney
File #2021.014

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

WHEREAS, the Town of Orchard Park has been negotiating with its Blue Collar Union for a new Collective Bargaining Agreement; and

WHEREAS, the parties to those negotiations have reached a successful accord extending through December 31, 2025; and

WHEREAS, the highlights of terms of that proposed accord include a 0% salary increase for 2022 and a 3.75% salary increase across the board for 2023, 2024, and 2025; minimum health insurance contribution increases, for employees hired prior to April 1, 2013, shall contribute ten percent (10%) of the health insurance premium equivalent in 2022 and 2023, thirteen percent (13%) in 2024 and fourteen percent (14%) in 2025; and

WHEREAS, effective April 1, 2013, any employee hired into the unit on or after April 1, 2013 shall contribute twenty percent (20%) of the health insurance premium equivalent in effect each year; and

WHEREAS, the said accord has been approved by the Blue Collar Union and is acceptable to the Town Board of Orchard Park.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby authorize the Supervisor to execute the proposed Blue Collar Collective Bargaining Agreement as negotiated between the Town Board and the Blue Collar Union, and presently approved by the Blue Collar Union; and be it further

RESOLVED, that a copy of the Blue Collar Collective Bargaining Agreement be kept on file in the Town Clerk's Office.

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RESOLVED, that the Town Board does hereby approve the 2022-2023 Commercial Parking Permit as approved by the Chief of Police and Building Inspector for Bo Tucker - 4243 Abbott Road.

TC

WHEREAS, the Orchard Park Highway Department has openings for the position of Truck Driver, and

WHEREAS, Ray Stevens, John Payne and Ryan McCarthy meets the qualifications Truck Driver and are able and ready to accept this position, and

WHEREAS, upon the recommendation of Highway Superintendent Andrew Slotman

NOW, THEREFORE be it

RESOLVED, that Ray Steven is appointed to the position of Truck Driver, Pay grade Step #2, \$23.72 per hour; John Payne is appointed to the position of Truck Driver, Pay grade Step #2, \$23.72 per hour; and Ryan McCarthy is appointed to the position of Truck Driver, Pay grade Step #1, \$22.40 upon the recommendation of Highway Superintendent Andrew Slotman, effective October 1, 2022.

TC

WHEREAS, the Orchard Park Highway Department has an opening for the position of a Blue Collar Laborer, and

WHEREAS, Lucas Bodden meets the qualifications of a Blue Collar Laborer and is able and ready to accept this position, and

WHEREAS, upon the recommendation of Highway Superintendent Andrew Slotman

NOW, THEREFORE be it

RESOLVED, that Lucas Bodden, upon the recommendation of Highway Superintendent Andrew Slotman, is appointed to the position of Blue Collar Labor in the Orchard Park Highway Department, Step 1 of the Blue Collar Contract, \$22.00 per hour, effective October 31, 2022.

TC

RESOLVED, that the Town Board does hereby authorize the advertisement for proposals in the Orchard Park BEE newspaper for the “Town-Wide (Excluding Village) Collection, Hauling & Disposal of Tree / Brush Waste” to be received in the Town Clerk’s Office until November 3, 2022 at 10:00AM located at 4295 South Buffalo Street, Orchard Park, NY 14127. These will be read aloud in the basement conference room at that time as recommended by the Orchard Park Highway Superintendent.



**TOWN OF
ORCHARD PARK**

7c
MEMORANDUM

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

DATE: September 19, 2022

TO: Town Clerk, Remy Orffeo, Jenifer Brady, & Building Inspector Steve Bremer
FROM: Rose Messina
SUBJECT: Item(s) for September 21, 2022 - TB Agenda

NEW BUSINESS:

Please refer the following item to the Planning & Conservation boards for review.

- 1. Birdsong Lakes LLC, David Capretto, requesting to rezone property from R-1 to R-1, CMO, located at the terminus of Rock Dove Lane. Proposing to construct a 62-lot single family residential subdivision on a combination of three contiguous parcels.**