

TC

PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Orchard Park, Erie County, New York at the Municipal Building, S4295 South Buffalo Street Orchard Park, New York on the 18th day of January 2023 at 7:00 PM (local time) in the matter regarding 3185 Orchard Park Road, Jim's Steak-Out requesting a Special Exception Use Permit to construct a 2,810 sq.-ft. Restaurant Building, with a Drive-Through, located on the east side of Orchard Park Road, north of Delta Sonic (former Tabernacle Food Pantry), Zoned B-2.

A list of conditions and stipulations is on file in the Town Clerk's Office for onsite inspection during regular business hours.

At such time all interested persons will be given as opportunity to be heard.

Dated: December 21, 2022
Remy C. Orffeo
Town Clerk

ONLY ACTION the TB IS
TAKING IS TO APPROVE (DISAPPROVE)
THE DRIVE THROUGH

TC

PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Orchard Park, Erie County, New York at the Municipal Building, S4295 South Buffalo Street Orchard Park, New York on the 18th day of January 2023 at 7:00 PM (local time) in the matter regarding 3201 Southwestern Blvd, Chase Bank requesting a Special Exception Use Permit to construct a 3,500-sq.ft. Building with a Drive-Through ATM, west side of Top's Fueling Station, east side of Starbucks, located in the Tops Plaza, Zoned B-2

A list of conditions and stipulations is on file in the Town Clerk's Office for on site inspection during regular business hours.

At such time all interested persons will be given as opportunity to be heard.

Dated: December 21, 2022
Remy C. Orffeo
Town Clerk

ONLY ACTION THE TB IS TAKING
IS TO APPROVE (DISAPPROVE)
THE ATM

RESOLVED, that the Town Board does hereby establish the mileage rate of \$0.655 per mile for the Town Personnel when their private vehicles are used for official business for the year 2023.



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.

January 05, 2023

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

**Re: Bussendorfer Road Overlay Paving Project
Release of Retention**

Dear Board Members:

I am pleased to inform you that the paving work on Bussendorfer Road Overlay Paving Project has been completed. On January 5, 2023, a final inspection was conducted and all of the work was completed in accordance with the contract documents and specifications.

A two year maintenance bond, in the amount of \$116,600.00, has been submitted along with the Affidavit of release of Liens, Affidavit of Subcontractor Payment and necessary legal documents.

Attached is a copy Final Change Order / Payment which includes amount of \$1,375.00 (C.O. #1A & 1B) and release of retention in the amount of \$5,830.00.

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

- Approve the change order/final payment and authorize release of retention for the Bussendorfer Road Overlay Paving Project to Milherst Construction, Inc., 10025County Road, PO Box 430, Clarence Center, NY 14032, in the amount of \$7,205.00.
- Authorize the Town Clerk to release Milherst Construction's performance security in the amount of \$116,600.00.

Respectfully submitted,

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

Cc: Remy Orfeo, Town Clerk Timothy Gallagher, Town Attorney
Andy Slotman, OP Highway Superintendent

Millherst Construction, Inc.
File #2002.030.3

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



TOWN OF ORCHARD PARK

4285 SOUTH BUFFALO STREET, ORCHARD PARK, NEW YORK 14127

PROJECT PAYMENT REQUEST Final / C.O.

PROJECT : Bussendorfer Road Overlay Paving Project
 JOB NO. : 2002.030.3
 DATE : 1/5/2023
 BY : JJK
 PAYMENT NO. : Final / Change Order

ITEM NO.	DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL
CO1A	Additional Type 7F Asphalt Placed beyond Contract Limits			\$890.00
CO1B	Furnish and Install 10 Valve Box Risers on Existing Water Valves In the Road Pavement			\$485.00
FCO	Release of Retention			\$5,830.00

TOTAL CHANGE : \$7,205.00

Original Contract Amount.....	\$116,600.00
Change Orders.....	\$1,375.00
Adjusted Contract Amount to Date.....	\$117,975.00
Cost of Work Completed as of Previous Payment.....	\$110,770.00
Cost of Work Completed During Current Payment Period.....	\$7,205.00
Total Work Completed to Date.....	\$117,975.00
Less: 5% Contract Retention.....	\$0.00
Subtotal.....	\$117,975.00
Less: Previous Payments.....	\$110,770.00

AMOUNT DUE THIS PAYMENT.....

\$7,205.00

APPROVALS:

CONTRACTOR: Milherst Construction, Inc.

BY: [Signature]

DATE: 1/10/23

TOWN ENGINEER: [Signature]

DATE: 1/10/23

TC



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.

January 12, 2023

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

**Re: Bussendorfer Forsythia Phase 2 Drainage Improvements Project
Change Order # 3, Final Change Order / Release of Retention**

Dear Board Members:

I am pleased to inform you that the paving work on Bussendorfer Forsythia Phase 2 Drainage Improvements Project has been completed. On July 14, 2022, a final inspection was conducted and all of the punch list work was completed on August 11, 2022 in accordance with the contract documents and specifications.

A two year maintenance bond, in the amount of \$825,218.17, has been submitted along with the Affidavit of release of Liens, Affidavit of Subcontractor Payment and necessary legal documents.

Attached is a copy of the Final Project Payment Request which includes payment for Change Order # 3 in the amount of \$5,384.56, Final bid item quantities paid in the amount \$9,502.50 and release of retention in the amount of \$40,516.56. Also attached, is the Over/Under sheet which list final quantity adjustments for each bid item. This illustrates a net decrease of \$184,354.27 or 18.26% from the original amount bid including the addition of approved change orders resulting in a final contract amount of \$825,218.17.

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

- Approve the C.O.#3, final C.O./final payment and authorize release of retention for the Bussendorfer Forsythia Phase 2 Drainage Improvements Project to Union Concrete Construction Corp., PO Box 410 105 Center Road, West Seneca NY, 14224, in the amount of \$55,403.62.
- Authorize the Town Clerk to release Union Concrete Construction Corp. performance security in the amount of \$932,692.64.

Respectfully submitted,

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

Cc: Remy Orffeo, Town Clerk Timothy Gallagher, Town Attorney Matt Bliss, UCCC
Andy Slotman, OP Highway Superintendent File #2002.030.2

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



TOWN OF ORCHARD PARK

4295 SOUTH BUFFALO STREET, ORCHARD PARK, NEW YORK 14127

PROJECT PAYMENT REQUEST CO3, Final CO, Release of Retention

PROJECT : Bussendorfer Forsythia Phase 2 Drainage Improvement
 JOB NO. : 2002.030.2
 DATE : 1/10/2023
 BY : JJK
 PAYMENT NO. : CO3, Final CO, Release of Retention

ITEM NO.	DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL
CO3	Various Sump pump, downspout and drain connection	1	5,384.56	5384.56
FCO	Release of Retention	1	40,516.56	40,516.56
FP	Bid Item amounts to be paid	1	9,502.50	\$9,502.50

TOTAL CHANGE : **\$55,403.62**

Original Contract Amount.....	\$932,692.64
Change Orders.....	\$76,879.80
Adjusted Contract Amount to Date.....	\$1,009,572.44
Cost of Work Completed as of Previous Payment.....	\$769,814.55
Cost of Work Completed During Current Payment Period.....	\$55,403.62
Total Work Completed to Date.....	\$825,218.17
Less: 5% Contract Retention.....	-
Subtotal.....	\$825,218.17
Less: Previous Payments.....	\$769,814.55

AMOUNT DUE THIS PAYMENT.....

\$55,403.62

APPROVALS:

CONTRACTOR: Union Concrete and Construction Corp.

BY: Matt B L

DATE: 1/11/23

TOWN ENGINEER: Wayne T. Bider

DATE: 1/11/23

PROJECT: Bussendorfer Forsythia Phase 2 Drainage Improvement
 PROJECT NO.: 2002.030.2
 DATE: 1/10/2023
 BY: JJK

ITEM NO.	DESCRIPTION	UNIT	ROUND QUANTITY	UNIT BID PRICE	TOTAL	FINAL QUANTITY	OVER	ADD	UNDER	DEDUCT
100.00	Clearing and Grubbing	LS	1.00	\$27,500.00	\$27,500.00	100%				
112.02	Removing of Exist Structures	LS	1.00	\$1,000.00	\$1,000.00	100%				
121.00	Unclassified Excavation and Disposal	CY	4,000.00	\$15.00	\$60,000.00	1676.60			2,323.40	\$34,851.00
122.00	Embankment In Place (Clean)	CY	750.00	\$5.00	\$3,750.00	1211.80	461.80	\$2,309.00		
129.00	Rock Excavation (No Blasting)	CY	100.00	\$35.00	\$3,500.00	0.00			100.00	\$3,500.00
130.00	Trench and Culvert Excavation	CY	1,700.00	\$32.50	\$55,250.00	2275.45	575.45	\$18,702.13		
136.10	Test Pit Excavation	EA	8.00	\$600.00	\$4,800.00	7.00			1.00	\$600.00
150.01	Geotextile Bedding (MIRAFI 500X)	SY	1,300.00	\$2.00	\$2,600.00	1469.04	169.04	\$338.08		
150.05	GEOGRID Material (TENSAR TRIAX TXS)	SY	85.00	\$5.00	\$425.00	154.40	69.40	\$347.00		
199.00	Temporary Soil Erosion and Water Pollution Control	LS	1.00	\$6,000.00	\$6,000.00	100%				\$0.00
200.01	Subbase Course - Crusher Run Stone - Type 1	CY	160.00	\$55.00	\$8,800.00	135.00			25.00	\$1,375.00
200.02	Subbase Course - Crusher Run Stone - Type 2	CY	10.00	\$100.00	\$1,000.00	8.50			1.50	\$150.00
220.05	Select Bedding #1 Stone	CY	1,150.00	\$75.00	\$86,250.00	450.80			699.20	\$52,440.00
240.10	Select Backfill #2 Stone	CY	235.00	\$70.00	\$16,450.00	191.60			43.40	\$3,038.00
250	Clay Dams	TN	1.00	\$600.00	\$600.00	0.00			1.00	\$600.00
301.08	Asphalt Concrete 7F Top Course	TN	10.00	\$345.00	\$3,450.00	17.40	7.40	\$2,553.00		
302.03	Asphalt Concrete Type 3 Binder Course	TN	15.00	\$245.00	\$3,675.00	27.40	12.40	\$3,038.00		
303.01	Asphalt Concrete Type 1 Base Course	LF	24.00	\$200.00	\$4,800.00	42.00	18.00	\$3,600.00		
330.10	Tack Coat	GAL	21.00	\$15.00	\$315.00	5.50			15.50	\$232.50
400.4200	42-inch Dia Corrugated Steel Pipe - Aluminated Coated Pipe	LF	35.00	\$155.00	\$5,425.00	33.00			2.00	\$310.00
400.4933	49x33-inch Dia Corrugated Steel Pipe - Aluminated Coated Pipe Arch	LF	30.00	\$155.00	\$4,650.00	30.00				
409.1200	12-inch Dia Solid HDPE Pipe	LF	60.00	\$22.50	\$1,350.00	143.10	83.10	\$1,869.75		
409.15	15-inch Dia Solid HDPE Pipe	LF	45.00	\$25.00	\$1,125.00	34.00			11.00	\$275.00
409.18	18-inch Dia Solid HDPE Pipe	LF	75.00	\$27.50	\$2,062.50	70.75			4.25	\$116.88
409.24	24-inch Dia Solid HDPE Pipe	LF	695.00	\$40.00	\$27,800.00	680.75			14.25	\$570.00
409.30	30-inch Dia Solid HDPE Pipe	LF	925.00	\$55.00	\$50,875.00	908.90			16.10	\$885.50
410.42	42-inch Galvanized Steel Pipe End Section	EA	1.00	\$3,000.00	\$3,000.00	1.00				
410.4933	49x33-inch Galvanized Steel Pipe Arch End Section	EA	2.00	\$2,500.00	\$5,000.00	2.00				
419.18	18-inch HDPE Pipe End Section	EA	1.00	\$500.00	\$500.00	1.00				
419.24	24-inch HDPE Pipe End Section	EA	3.00	\$600.00	\$1,800.00	3.00				
419.30	30-inch HDPE Pipe End Section	EA	2.00	\$1,500.00	\$3,000.00	2.00				
432.00	Field Inlets	LF	4.00	\$540.00	\$2,160.00	8.57	4.57	\$2,467.80		
433.00	4 FT Dia. Storm Manholes	LF	4.00	\$295.00	\$1,180.00	4.75	0.75	\$221.25		
433.01	5 FT Dia. Storm Manholes	LF	40.00	\$370.00	\$14,800.00	43.34	3.34	\$1,235.80		
433.02	6 FT Dia. Storm Manholes	LF	6.00	\$530.00	\$3,180.00	6.50	0.50	\$265.00		
434.01	Drop Inlets Type "B"	LF	9.00	\$650.00	\$5,850.00	12.86	3.86	\$2,509.00		
434.02	Field Inlet - Special Structure	LF	6.00	\$600.00	\$3,600.00	6.13	0.13	\$78.00		
440.00	Frames and Grates for Field Inlets	EA	2.00	\$325.00	\$650.00	4.00	2.00	\$650.00		
443.00	Frames and Grates for Concrete Gutters	EA	1.00	\$1,000.00	\$1,000.00	1.00				
445.00	Frames and Grates for Storm Sewer Manholes	EA	10.00	\$725.00	\$7,250.00	9.00			1.00	\$725.00
450.10	Stone Filling (Light)	CY	45.00	\$85.00	\$3,825.00	29.55			15.45	\$1,313.25
450.20	Stone Filling (Medium)	CY	230.00	\$135.00	\$31,050.00	155.44			74.56	\$10,065.60
461.00	Cleaning, Grading, Reshaping Existing Ditches	LF	470.00	\$3.50	\$1,645.00	430.00			40.00	\$140.00
501.06	6-inch Ductile Iron Pipe	SF	20.00	\$43.00	\$860.00	20.00				
530.50	Alternate Hydrant Assembly	EA	1.00	\$7,000.00	\$7,000.00	1.00				
539.00	Removal of Existing Fire Hydrant Assembly	EA	1.00	\$1,175.00	\$1,175.00	1.00				
540.00	Near Side House Service Reconnection (3/4")	EA	2.00	\$1,250.00	\$2,500.00	1.00			1.00	\$1,250.00
541.00	Far Side House Service Reconnection (3/4")	LF	1.00	\$1,850.00	\$1,850.00	0.00			1.00	\$1,850.00
592.04	Lower Existing Waterline (4" inch Dia)	LF	2.00	\$10,000.00	\$20,000.00	2.00				
711.00	Seeding on Special Areas (Lawn Areas)	LF	2.00	\$3,500.00	\$7,000.00	2.17	0.17	\$595.00		
711.10	Wetland Seeding Mix	LF	0.60	\$18,000.00	\$10,800.00	0.60			0.00	\$0.00
720.03	Planting Major Deciduous Trees - 3"	LF	46.00	\$1,040.00	\$47,840.00	46.00				
723.00	Planting Deciduous Shrubs	EA	50.00	\$158.00	\$7,900.00	50.00				
740.00	Topsoil	EA	2,100.00	\$50.00	\$105,000.00	1436.60			663.40	\$33,170.00
751.00	Selective Thinning of Trees	AC	0.14	\$1.00	\$0.14	0.25	0.11	\$0.11		
752.10	Tree Removal - 6 in to 12 in Diameter	EA	30.00	\$225.00	\$6,750.00	41.00	11.00	\$2,475.00		
752.20	Tree Removal - 12 in to 18 in Diameter	EA	14.00	\$275.00	\$3,850.00	17.00	3.00	\$825.00		
752.30	Tree Removal - 18 in to 24 in Diameter	EA	5.00	\$300.00	\$1,500.00	5.00				
752.40	Tree Removal - 24 inch to 36 inch Diameter	EA	2.00	\$2,000.00	\$4,000.00	8.00	6.00	\$12,000.00		
813.00	Blacktop Driveway Replacement	SF	560.00	\$4.25	\$2,380.00	744.00	184.00	\$782.00		
824.00	Concrete Gutter	LF	30.00	\$66.00	\$1,980.00	51.00	21.00	\$1,386.00		
829.00	DI Flares	SY	2.00	\$335.00	\$670.00	4.72	2.72	\$911.20		
840.00	Maintenance and Protection of Traffic	LS	1.00	\$30,000.00	\$30,000.00	100%				
862.00	Saw Cutting	EA	280.00	\$6.00	\$1,680.00	425.50	145.50	\$873.00		
890.00	Surveying and Stakeout	LS	1.00	\$16,200.00	\$16,200.00	100%				
891.60	Detectable Tape	EA	150.00	\$0.10	\$15.00	0.00			150.00	\$15.00
901.50	Cable Concrete	SF	140.00	\$470.00	\$65,800.00	128.00			12.00	\$5,640.00
940.00	Underground Service Relocation	LS	1.00	\$2,500.00	\$2,500.00	0%			100.00%	\$2,500.00
	\$75k Lump Sump Contingency Allowance Item	LS	1.00	\$75,000.00	\$75,000.00	0%			100.00%	\$75,000.00
1000.00	Mobilization	LS	1.0	35500	\$35,500.00	100%				
CO1	To Address Utility Conflicts									
CO1A	To lower the sanitary sewer lateral for 5020 Bussendorfer Road	LS	1.00	\$33,150.97	\$33,150.97	100%				
CO1B	To raise / adjust an existing hydrant's height	LS	1.00	\$2,028.22	\$2,028.22	100%				
CO1C	To lower 6-inch Watermain	LS	1.00	\$11,198.07	\$11,198.07	100%				
CO1D	To install concrete anchor collars in lowering watermain	EA	6.00	\$1,686.33	\$10,117.98	4.00			2.00	\$3,372.66
CO1E	To abandon 15-inch Drainage Pipe In-place with grout	CY	30.00	\$200.00	\$6,000.00	23.00			7.00	\$1,400.00
CO2										
ITEM A	Extension of unit quantities to install Pinewood Drive 15" cross culvert	LS	1.00	\$4,000.00	\$4,000.00	0%			100.00%	\$4,000.00
ITEM B	Contingency to cover 8" drain piping with bubbler for 4984 Bussendorfer Road as requested by the Highway Superintendent	LS	1.00	\$5,000.00	\$5,000.00	0%			100.00%	\$5,000.00
CO3	Miscellaneous sump pump, downspouts and drain connections	LS	1.00	\$5,384.56	\$5,384.56	100%				
							ADD:	\$60,031.12	DEDUCT:	\$244,385.39

ADD: \$60,031.12
 DEDUCT: (\$244,385.39)
 NET CHANGE: (\$184,354.27)

ORIGINAL CONTRACT AMOUNT: \$932,692.64
 PREVIOUSLY APPROVED CHANGE ORDERS: \$76,879.80

SUBTOTAL: \$1,009,572.44
 FINAL CHANGE ORDER: (\$184,354.27)

FINAL CONTRACT AMOUNT: **\$825,218.17**

RESOLVED, that the Town Board is hereby authorized to approve the renewal of the 2022 Public Stable Permits for the following stables:

- Chestnut Creek Farm, 5624 Chestnut Ridge Road
- Jaxon's Sky Equestrian Center LLC, 7613 Behm Road
- Willow View Equestrian, 7895 East Quaker Road

RESOLVED, that the Town Board does hereby approve the Special Event Permit request for the Frozen Chosen 5K to be held on Saturday February 11, 2023 from 9:00AM-12:00PM at 4536 S. Buffalo Street.

TC

WHEREAS, Maria Galley serves as the Senior Center Director; and

WHEREAS, she has accrued unused vacation time;

NOW THEREFORE be it

RESOLVED that Maria Galley is allowed to roll over seven (7) vacation days from 2022 to 2023.

re

WHEREAS, Robert Rendon serves as Assistant Code Enforcement Officer II in the Building Department; and

WHEREAS, he has accrued unused vacation time;

NOW THEREFORE be it

RESOLVED that Robert Rendon is allowed to roll over five (5) vacation days from 2022 to 2023.

TC

WHEREAS, the Orchard Park Building Department is in need of a part-time code enforcement officer; and

WHEREAS David Holland, a retired Town of Orchard Park Code Enforcement Officer is available to assume the position of part-time code enforcement officer;

NOW THEREFORE be it

RESOLVED that David Holland is hereby appointed part-time code enforcement officer in the Building Department at a rate of \$35.00 per hour not to exceed nineteen and one-half hours per week. This appointment is effective January 1, 2023.

WHEREAS, the Town of Orchard Park has negotiated a Small Wireless Facilities Master License Agreement with Bell Atlantic Mobile Systems LLC d/b/a Verizon Wireless; and

WHEREAS, the purpose of this agreement is to permit the deployment of Small Wireless Facilities within the public rights-of-way; and

WHEREAS, the Agreement, Fee Schedule, Model Form of Application for Pole License(s); and

WHEREAS, the effective date of this agreement is _____ ; and

WHEREAS, a copy of this agreement is available in the Town Clerk's office during normal business hours

NOW therefore be it

RESOLVED that the Town Board authorizes the Orchard Park Town Supervisor to sign the Small Wireless Facilities Master License Agreement with Bell Atlantic Mobile Systems LLC d/b/a Verizon Wireless.

JC

RESOLVED that the Town Board does hereby appoint James Morse to the Economic Development Committee with a term ending December 31, 2023.



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.

January 13, 2023

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

**Re: Advertisement of Civil Engineering Position – Promotional/Open
Orchard Park Engineering Department**

Dear Board Members:

As you are aware, Ken Kostowniak resigned effective December 2, 2022. Due to the Engineering Department's work load, there is an immediate critical need to have a fulltime person staff this position.

A Civil Engineer performs engineering duties and liaison work in connection with the design, construction and maintenance of municipal projects; computes pipe analysis in main extensions and service connections; leads a field survey party; prepares field notes of survey work and prepares rough sketches for entry on final plates of system; receives, reviews and processes requests for utility extensions and service connections; works with accounting division in preparing bills for contractors and consumers; assists in making project cost estimates; inspects construction in progress for adherence to specifications and for recommending changes in plans for specifications; assists the legal division by preparing maps and other data for easements; assists in supervising the maintenance of a variety of equipment used in the division; may be assigned to supervise the maintenance of buildings, grounds and other properties of the municipality; witnesses and/or assists in the conduct of field tests; supervises engineering crews and construction inspectors; supervises the plotting of utilities and related information on permanent system maps; confers with developers on utility layouts, extensions, service connections, their cost, timing of construction and related matters; assists in the preparation of specifications and bid documents for work to be done by contractors including preliminary cost estimates.

Daily work scope includes performing entry level professional engineering work in the office or field in connection with design, inspection, maintenance and/or construction of civil engineering projects. Work also entails complex technical duties that apply the principles of civil engineering to a variety of engineering problems either as a regular assignment or as a training experience. Work is performed under the direct supervision of higher ranking engineering staff with limited leeway for the exercise of independent judgement. Supervision is exercised over lower level technical and labor class employees.

I, therefore, recommend that you authorize the advertisement and posting for the position of civil service classification Civil Engineering Position Promotional/Open title for the Orchard Park Engineering Department at range 0014 in the white union wage rate schedule.

Respectfully submitted,

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

Attachment

cc: Remy Orfeo, Town Clerk Lisa McClean, Payroll
Bill Fulton, White Collar President File

H/Employment-Engineering/Ad, Format, Interview Q's for Engineering Positions/ Civil Engineering Position/Letter TB Advertisement Civil Eng. Position 02-2021
Visit the Town's website at www.orchardparkny.org

POSITION VACANT

TOWN OF ORCHARD PARK ENGINEERING DEPARTMENT

Civil Engineer and Promotional Civil Engineer

The Town of Orchard Park is now accepting applications for a full time position in the Engineering Department.

Job Requirements: The *Civil Engineer* will perform engineering duties and liaison work in connection with the design, construction and maintenance of municipal projects; computes pipe analysis in main extensions and service connections; leads a field survey party; prepares field notes of survey work and prepares rough sketches for entry on final plates of system; receives, reviews and processes requests for utility extensions and service connections; works with accounting division in preparing bills for contractors and consumers; assists in making project cost estimates; inspects construction in progress for adherence to specifications and for recommending changes in plans for specifications; assists the legal division by preparing maps and other data for easements; assists in supervising the maintenance of a variety of equipment used in the division; may be assigned to supervise the maintenance of buildings, grounds and other properties of the municipality; witnesses and/or assists in the conduct of field tests; supervises engineering crews and construction inspectors; supervises the plotting of utilities and related information on permanent system maps; confers with developers on utility layouts, extensions, service connections, their cost, timing of construction and related matters; assists in the preparation of specifications and bid documents for work to be done by contractors including preliminary cost estimates.

Minimum Qualifications: Graduation from a standard senior high school and in addition, EITHER:

- A. Graduation from a regionally accredited or New York State registered college or university with a Bachelor's degree in civil engineering or closely related field, plus three years of satisfactory experience in civil engineering; or
- B. Graduation from a regionally accredited or NYS registered two year college or university with an Associate's degree in Civil Technology or closely related field plus five years' experience in civil engineering, or;
- C. An equivalent combination of training and experience as defined by the limits of (A) and (B).

Current Pay Range is \$63,627.20 to \$80,163.20 per year.

Please submit your resume to: Humanresourcessimplified@aol.com .



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.

January 13, 2023

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

**Re: Advertisement of Promotional Assistant Civil Engineer Position
Orchard Park Engineering Department**

Dear Board Members:

At the January 4, 2023 Town Board Work Session, the Town Board approved the filling the Assistant Civil Engineer position through a promotion or open competition. Due to the Engineering Department's work load, and the resignation letter of Ken Kostowniak, to maintain staffing and continue to complete projects, the position was recommended to be filled if the Civil Engineer position is not able to be.

A current Civil Service list does not exist for either the Assistant Civil Engineer or Civil Engineer titles. The Town, therefore, must called for a promotional/open competitive exam. Erie County Department of Personnel will prepare an open competitive and promotional examination for the Assistant Civil Engineer title.

With the current work load of the Engineering Department, this title is recommended to assist in completing the various projects that develop as the Town's Infrastructure ages. The proposed position description of duties includes the following:

Distinguishing features of the class Assistant Civil Engineer includes: responsible direction and control of subordinates employees. This involves the assignments of work, approval of work, training, evaluation and discipline of employees. The supervisor aspects must be an integral part of the job, not incidental or occasional. Also performs engineering duties and liaison work in connection with the design, construction and maintenance of Town projects; oversees field surveys to obtain data for projects and programs; oversees the obtaining of property line data by survey for survey and deed descriptions use; computes engineering data either manually or through the use of computer; prepares engineering drawings for projects connected with Town plans and projects from surveys either manually or with CADD, or other computer programs; coordinates of construction crews; assists in designing bridges, sewage systems, water systems, drainage systems, highways and other Town projects; draws plans and specifications; makes inspections of projects under construction for conformance to plans and standards; assist with reports by compilation of data and providing preliminary drafts; inspects construction projects.

I, therefore, recommend that you authorize advertisement for the position of Assistant Civil Engineer for the Town of Orchard Park Engineering Department.

Respectfully submitted,

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

Attachment

cc: Remy Orffeo, Town Clerk
Bill Fulton, White Collar President
Lisa McClean, Payroll
File

H:\Employment -Engineering\Ad. Format Interview Q's for Engineering Positions\Assistant Civil Engineer Position\TB Letter - Asst. Civil Engineer Position Adv 1-18-2023.doc
Visit the Town's website at www.orchardparkny.org

ASSISTANT CIVIL ENGINEER

TOWN OF ORCHARD PARK

The Town of Orchard Park is now accepting applications for a position in the Engineering Department. The position offers a 40-hour work-week and requires the employee to be in good physical condition and possess a valid Class D driver's license in New York State.

MINIMUM QUALIFICATIONS:

- A) Graduation from a regionally accredited or New York State registered college or university with a Master's Degree in Civil Engineering or other closely related engineering field; or:
- B) Graduation from a regionally accredited or New York State registered college or university with a Bachelor's degree in Civil Engineering or other closely related engineering field, and one (1) year of professional experience in civil, environmental, sanitary or related engineering discipline; or
- C) Graduation from a regionally accredited or New York State registered two (2) year college or technical school with an Associate's degree in civil engineering technology or construction technology, or completion of two (2) years of study at a regionally accredited or New York State registered four (4) year college or university, in a course leading to a Bachelor's degree in civil engineering and, in addition to either of the above, two (2) years of practical experience in the civil/sanitary field; or:
- D) Graduation from high school or possession of a high school equivalency diploma and four (4) years of practical experience in the civil/sanitary engineering field; or
- E) An equivalent combination of training and experience as defined by the limits of (A), (B), (C) and (D).

The work involves assisting civil engineers by compiling data, making surveys and inspections and preparing drawings. The incumbent performs the most difficult, complex and responsible pre-professional engineering tasks. Work is performed under the general supervision of a civil engineer. Supervision is exercised over a small number of personnel performing either field or office tasks. Does related work as required.

Current Pay Range is \$57,782.40 to \$75,025.60 per year.

Please submit your resume to: Humanresourcessimplified@aol.com.



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TOWN ENGINEER
WAYNE L. BIELER, P.E.

January 13, 2023

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

Re: NYSDOT Utility Work Agreement - Lighting
NY Route 240/277 @ US Route 20A, Project. PIN 5814.39, D264946

Dear Board Members:

As you may know, the NYSDOT is planning safety improvements to the intersection of Orchard Park / North Buffalo Road (NY Rte. 240/277) and Milestrip Road (US Rte. 20A). The DOT is planning on widening the intersection area and adding turning lanes. NYSEG owns the utility poles along the roads which will be affected by the project. The Town is responsible for the lights and brackets on those poles:

The State's policy is to replace or make adjustments to any utilities owned by a municipality which are in conflict with highway construction work, at no expense to the municipality. The NYSDOT requires the municipality to sign a utility work agreement, which authorizes such work. The agreement also provides for the State to reimburse the municipality for any costs the municipality incurs associated with such utility modifications.

For the Orchard Park / North Buffalo Road (Rte. 240/277) and Milestrip Road (Rte. 20A) Project, the Town of Orchard Park owned luminaires and bracket arms are in conflict with the proposed highway construction work, and will be relocated by NYSDOT, at no expense to the Town.

On December 22nd, 2022, we received a letter from NYSDOT requesting that the Town sign the necessary utility work agreements and return them by January 19, 2023. The documents will then be forwarded to Albany for review and approval by NYSDOT's legal staff so that the road reconstruction project can remain on schedule.

I, therefore, recommend that you adopt the following resolution to Authorize the Supervisor to sign the HC140 Utility Work Agreement (4 copies) with the New York State Department of Transportation for the NY Rte.240/277 @ Milestrip Road (US Route 20A) Project (P.I.N. #5814.39) permitting the relocation of luminaries and bracket arms at no expense to the Town of Orchard Park. The State also requires four (4) certified copies of a resolution (example attached) that the Town will maintain the improvements. The Town Supervisor has the authority to sign documents in regards to this project and four (4) certified copies will be forwarded to the NYSDOT.

Respectfully submitted,

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

cc: Remy Orfeo, Town Clerk

Timothy Gallagher, Town Attorney

File

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



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TOWN ENGINEER
WAYNE L. BIELER, P.E.

January 13, 2023

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

**Re: *Town Wide Stormwater Management District
Map, Plan and Report
Public Hearing***

Dear Board Members:

The map, plan and report for the proposed Town Wide Stormwater Management District prepared by GHD in accordance with Article 12 of the Town Law is now available at the Town Clerk's office for public review.

The Town has provided stormwater infrastructure management and services for a considerable length of time. However, over the last 19 years, the Town was required to comply with Federal and State regulations and laws which has increased the cost of providing these services. Under the NYSDEC general stormwater permit for Municipal Separate Storm Sewer System (MS4), the Town is required to maintain a stormwater management program (six minimum controls) to reduce the amount of pollutants carried by stormwater during storm events, to waterbodies, to the maximum extent practicable. Additional quantity and quality control measures, codes, standards and specifications were therefore implemented. The creation of individual drainage districts was also necessary to address the additional infrastructure maintenance cost. The current 22 individual drainage districts in Orchard Park were formed per Town Law Section 191. All of these individual districts will be dissolved with the formation of a Town Wide Stormwater Management District.

The current method of funding for stormwater is the general fund, highway fund, and the individual drainage districts, which, are currently inadequate to maintain and improve the aging stormwater infrastructure. Furthermore, the proposed Federal and State regulations will increase the Town's future funding needs in order to meet these mandates.

Current Town Infrastructure includes storm sewer pipes, catch basins, manholes, culvert pipes, swirl chambers, and retention/detention basins/ponds. The Town has approximately 195 miles of stormwater drain pipe ranging in size from 6 to 72 inches, 110 miles at total center line of roads in the Town, and 30.6 miles of ditches along

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

Honorable Town Board
January 13, 2023
Page 2

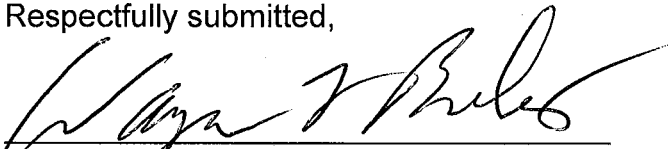
public roads. There are 54 publicly owned and operated detention basins/ponds and 28 private detention basins/ponds including 100 inlet/outlet structures. The Town has 335 identified outfalls.

The establishment of a publicly funded Stormwater Management District is in the best interest of the residents. The district will service the entire Town (excluding the Village) with the required management and funding to control water quality and quantity per the Federal EPA Environmental Law, the Clean Water Act and Stormwater Phase II regulations, while also address aging infrastructure maintenance and replacement.

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

- o Accept the map, plan and report in accordance with Section 191 of the Town Law for the establishment of the Stormwater Management District - SMD 1.
- o Authorize the scheduling of a Public Hearing on the creation of a Town Wide Stormwater Management District at your regular meeting of February 15, 2023 at 7:00pm.

Respectfully submitted,



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

Attachments

Cc: Remy Orffeo, Town Clerk
Dan Stanford, Town Assessor
Andy Slotman, Highway Superintendent

Timothy Gallagher, Town Attorney
Ed Leak, Parks & Grounds
File #2020.013



TOWN OF ORCHARD PARK

TC

MEMORANDUM

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

DATE: January 13, 2023

TO: Town Clerk, Remy Orffeo, Jenifer Brady, & Building Inspector Tom Minor
FROM: Rose Messina
SUBJECT: Item(s) for January 18, 2023 - TB Agenda

NEW BUSINESS:

Please refer the following to the Planning and Conservation Boards for review.

1. 3876 Taylor Road, located on the west side of Taylor Road, south of Southwestern Blvd. Joseph DeMarco Jr. requesting to construct a 50-ft. x 240-ft. Office/Warehouse Building, 1.3-acres, Zoned I-1. (SBL#161.00-5-31)
2. 3964 California Road, located on the west side of California Road, south of Southwestern Blvd. Joseph DeMarco Jr. is requesting to construct a 60 x 190 +/-sq. ft. Warehouse/Office Building, Zoned I-1. (SBL #161.03-1-8)
3. 3715 Southwestern Boulevard, located on the south side of Southwestern Boulevard, west of Taylor Road. Joseph DeMarco Jr. is requesting a Special Exception Use Permit to allow a Drive-through and a Cannabis Dispensary, Zoned I-1. (SBL#161.00-5-29)