

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 14127, on October 18th, 2023 at 7:00 PM (local time),

To rezone 12.3 acres of land of V/L on California Road, Zoned R-4 and I-1, SBL #161.03-1-5.11.
Requesting to rezone from R-4 and I-1 to I-1, as requested by Joseph DeMarco Jr.

A complete metes and bounds description of this property, together with a surveyor's map, is on file in the Town Clerk's Office, as well as the list of conditions and stipulations if approved.

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

Remy C. Orffeo, Town Clerk
September 21, 2023

TC

PUBLIC NOTICE

2024 PRELIMINARY BUDGET & BENEFIT BASIS SPECIAL DISTRICT

NOTICE IS HEREBY GIVEN that the Ad Valorem & Benefit Basis Special District Preliminary Budgets of the Town of Orchard Park for the fiscal year beginning January 1, 2024 has been completed by the Supervisor and filed in the office of the Town Clerk, S4295 South Buffalo Street, Orchard Park NY 14127, where it is available for inspection by all interested persons at all reasonable hours.

FURTHER NOTICE IS HEREBY GIVEN that the Town Board of the Town of Orchard Park will meet and review said revised Budgets and hold a Public Hearing at the Orchard Park Municipal Building on Wednesday, October 18, 2024 at 7:00 PM (local time) and that at such hearing any person may be heard in favor of or against any item or items therein contained pursuant to Section 108 of the Town Law. The proposed salaries of the following town officers are here specified as follows:

Supervisor	86,702
Councilmember (1)	22,795
Councilmember (1)	22,795
Councilmember (1)	22,795
Councilmember (1)	22,795
Town Justice (1)	52,347
Town Justice (2)	52,347
Town Clerk	74,558
Supt. of Highways	82,599

Dated: 10/12/2023
Remy C. Orffeo
Town Clerk



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.

October 10, 2023

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

Re: Chestnut Ridge Road Waterline Replacement Project-Change Order No.3

Dear Board Members:

The Engineering Department is requesting your approval of a Change Order to the contract with Wm. Schutt Associates for the Chestnut Ridge Road and Duerr Road Waterline Replacement Project in the amount of \$3,047.65 as the last paid invoice was not taken into consideration with the request of Change Order No.2. If approved, this would increase the total contract amount to \$52,160.65, representing an increase of .062%.

Preliminary Design Plans for the Chestnut Ridge Road Waterline were sent to the NYSDOT for their comment on the alignment. They requested alignment is for the waterline to be installed on easement outside of the ROW due to utility conflicts and only allowing installation in state pavement if no other options are available at the time, but due to negative/no response for easements from the residents, the project had to be redesigned to place the waterline in the roadway with NYSDOT approval. This Change Order is requested to perform the additional design work needed to re-align the watermain in the Chestnut Ridge Road, and coordination with NYSDOT design work, which was not covered under the current contract with Wm. Schutt Associates.

I, therefore, recommend that you approve Change Order No.3 to our contract with Wm. Schutt Associates for the Chestnut Ridge Road and Duerr Road Waterline Replacement Project in the amount not to exceed \$3,047.65.

Respectfully submitted,

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

Cc: Remy Orffeo, Town Clerk

File # 2012-013

\\files\engineering\$\Town Projects\Chestnut & Duerr Waterline Replacement 2012.013\Correspondence\Letter TB Change Order 3 for Chestnut Ridge Waterline Relocation.doc

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

WHEREAS, the Town Highway Department is in need of a 2500HD or 3500HD 4WD Regular Cab with Service Body Truck and is willing to accept sealed bids for it.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby authorize the Town Highway Superintendent to advertise for bids for a 2021 or newer 2500HD or 3500HD 4WD Regular Cab with Service Body Truck for the Highway Department to be opened at 9:15AM on November 13, 2023 in the Basement Meeting room located at the Municipal Center, 4295 S. Buffalo Street, Orchard Park, NY 14127; and be it further

RESOLVED, that the Town Clerk is hereby directed to publish due notice thereof.

The Resolution was unanimously adopted.



TOWN OF ORCHARD PARK

ENGINEERING DEPARTMENT

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TOWN ENGINEER
WAYNE L. BIELER, P.E.

October 12, 2023

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

**Re: Community Activity Center – Door Openers Project
Bid Award General Contractor**

Dear Board Members:

Bids were opened for the Community Activity Center – Door Openers Project on August 30, 2023. The project consists of the general scope of work and basic schematics/plans for the supply and installation of automatic door openers for specific senior used Community Activity Center doors.

The Engineering Department has reviewed the single general contractor bid for this scope. This department also performed a review of the contractor's experience, knowledge of the scope and past projects, which includes the current door openers at the Community Center, installed during the original construction of the building. The lowest responsible bid submitted is \$35,603.00 from Imperial Door Controls Inc. and the contractor has extended his bid until October 18, 2023.

Attached is the tabulation of bid results showing the bid amounts from each bidder. Contractor submissions were checked for errors.

New York State gave approval on October 4th, 2023 to award the bid and move the project forward. The CDBG CARES Act Grant is for approximately 40%-50% of the cost.

Funds have been allocated under Capital Projects AB018, "CAC Senior Bocce Court/Generator" \$80,351.83 and AB004 "Brush Mountain Community Activity Center" \$3,099,280.25 for this project.

I, therefore, recommend that you award the **general** contract for the Community Activity Center – Door Openers Project to the lowest responsible bidder, Imperial Door Controls Inc., 85 Oriskany Drive, Tonawanda, NY 14150-6722, in the amount not to exceed \$35,603.00.

Respectfully submitted,

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

cc: File #CDBG – Cares Act
Timothy Gallagher, Town Attorney

Remy Orfeo, Town Clerk
Imperial Door Controls Inc.



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TOWN ENGINEER
WAYNE L. BIELER, P.E.

October 12, 2023

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

**Re: Community Activity Center – Door Openers Project
Bid Award Electrical Contractor**

Dear Board Members:

Bids were opened for the Community Activity Center – Door Openers Project on August 30, 2023. The project consists of the electrical scope of work and basic schematics/plans for the power supply to operate the automatic door openers for specific senior used Community Activity Center doors.

The Engineering Department has reviewed the single electrical contractor bid for this scope. This department also performed a review of the contractor's experience, knowledge of the scope and past projects, which includes the recent generators installments at the Highway and Sewer buildings. The lowest responsible bid submitted is \$4,800.00 from Stenzel Electrical Construction Inc. and the contractor has extended his bid until October 18, 2023.

Attached is the tabulation of bid results showing the bid amounts from each bidder. Contractor submissions were checked for errors.

New York State gave approval for the spending on October 4th, 2023 to award the bid to complete the project. The CDBG CARES Act Grant is for approximately 40%-50% of the cost.

Funds have been allocated under Capital Projects AB018, "CAC Senior Bocce Court/Generator" \$80,351.83 and AB004 "Brush Mountain Community Activity Center" \$3,099,280.25 for this project.

I, therefore, recommend that you award the electrical contract for the Community Activity Center – Door Openers Project to the lowest responsible bidder, Stenzel Electrical Construction, Inc., 8535 Sunset Dr., Williamsville, NY 14221, in the amount not to exceed \$4,800.00.

Respectfully submitted,

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

cc: File #CDBG – Cares Act
Timothy Gallagher, Town Attorney

Remy Orfeo, Town Clerk
Stenzel Electrical Construction, Inc.



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TOWN ENGINEER
WAYNE L. BIELER, P.E.

October 13, 2023

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

**Re: Community Activity Center - Generators Installation Project
Bid Award Electrical Contractor**

Dear Board Members:

Bids were opened for the Community Activity Center – Generators Installation Project on August 30, 2023. The project consists of the design plans and specifications for the construction of a parallel generator(s) system that will power the Senior/Community Activity Center.

The Town received electrical contract bids from Industrial Power & Lighting Corp. = \$189,700.00, Pinto Construction Services (Frey Electric) = \$211,197.00 and Stenzel Electrical Construction = \$119,250.00. The Engineering Department has reviewed the three bids against the electrical scope of work. The lowest responsible bid submitted is Stenzel Electrical Construction, Inc. totaling \$119,250.00 and the contractor has extended his bid until October 18, 2023.

Attached is the tabulation of bid results showing the bid amounts from each bidder. Contractor submissions were checked for errors. Stenzel Electrical Construction recently completed the emergency standby generators for the Highway and Sewer buildings.

New York State granted approval for the spending on October 4th, 2023 to award the bid to complete the project. The CDBG CARES Act Grant is for approximately 40% -50% of the cost.

Funds have been allocated under Capital Projects AB018, "CAC Senior Bocce Court/Generator" \$80,351.83 and AB004 "Brush Mountain Community Activity Center" \$3,099,280.25 for this project.

I, therefore, recommend that you award the electric contract for the Community Activity Center – Generators Installation Project to the lowest responsible bidder, Stenzel Electrical Construction, Inc., 8535 Sunset Dr., Williamsville, NY 14221, in the amount not to exceed \$119,250.00.

Respectfully submitted,

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

cc: File #CDBG – Cares Act Remy Orfeo, Town Clerk
Timothy Gallagher, Town Attorney Stenzel Electrical Construction, Inc.



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WAYNE L. BIELER, P.E.

October 13, 2023

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

**Re: Lakeview Avenue Reconstruction
Public Information Meeting**

Dear Board Members:

As you are aware, the Town of Orchard Park Engineering Department is finalizing the design for the reconstruction of Lakeview Avenue between Abbott Road and Bielak Road. The project is currently out for bid and is scheduled to be awarded on December 6, 2023. The scope of work includes new under-drain stormwater system for the roadway and adjacent lawn areas, sub-base stabilization, and asphalt pavement replacement with country gutters, the replacement of the 3,100 LF of water main and 170 LF sanitary sewer, as well as replacement/installation of existing sidewalk and ADA ramps on Abbott Road. The typical section has a 22 foot pavement width and 2.5 feet concrete country gutters on each side of the asphalt, totaling 27 feet. The majority of the proposed work will take place in the existing highway right-of-way of Lakeview Avenue.

The purpose of the informational meeting is to explain the proposed project in more detail, outline the approximate schedule, and provide residents with the opportunity to ask questions about the upcoming project. The Engineering Department will be present to answer specific questions that residents may have regarding their property and any other details about any private existing utility impacts.

I therefore recommend the Town of Orchard Park schedule a public information meeting for the Lakeview Avenue Reconstruction project on Thursday, November 2, 2023 from 4:30-7:00 PM in the Basement Meeting Room of the Municipal Center, S-4295 South Buffalo Street to discuss the project scope of work and gather any specific private property information. All interested parties are invited to attend.

Respectfully submitted,

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

cc: Remy Orffeo, Town Clerk Andy Slotman, Town Highway Superintendent
File #2017.018



TOWN OF ORCHARD PARK

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TOWN ENGINEER
WAYNE L. BIELER, P.E.

October 13, 2023

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

**Re: Community Activity Center - Generators Installation Project
Cummins Equipment Order Approval**

Dear Board Members:

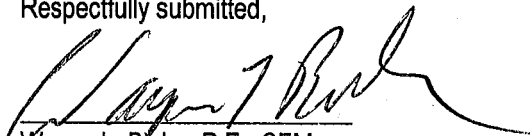
Contractor bids are scheduled to be awarded for the Community Activity Center – Generators Installation Project. The major component of that project is the equipment from Cummins. The engineer deigned the system with two 300 KW natural gas generators and a switch gear. In order to avoid contractor markup on this equipment Cummins is a State approved vendor, so the Town can purchase directly from them. The engineer worked with Cummins and the necessary equipment for the Center has already been specified and quoted for this project.

New York State granted approval for spending on October 4th, 2023; to award bids and incur costs to complete the project. The CDBG CARES Act Grant is for approximately 40% to 50% of the total project cost.

Funds have been allocated under Capital Projects AB018, "CAC Senior Bocce Court/Generator" \$80,351.83 and AB004 "Brush Mountain Community Activity Center" \$3,099,280.25 for this project.

I, therefore, recommend that you authorize the Supervisor to execute the Quote (attached) dated August 1, 2023 for 2 each - 300KW natural gas generators, 1 each - switchgear and vendor start up & testing from Cummins Sales and Service, for the Community Activity Center – Generators Installation Project. This quote is under NYS bid from Cummins Sales and Service, 6193 Eastern Ave., Syracuse, NY 13211, in the amount not to exceed \$440,000.00.

Respectfully submitted,


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

cc: File #CDBG – Cares Act
Timothy Gallagher, Town Attorney

Remy Orfeo, Town Clerk
C&S Engineers – R. Gleason, P.E.



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October 13, 2023

Honorable Town Board
Town of Orchard Park
4295 South Buffalo Street
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**Re: Contractor Agreement
Thorn Avenue Baseball Field Preparation Work**

Dear Board Members:

Due to the elimination of a baseball field on the Community Center site and proposed OP Maintenance Facility, the Town Board started funding the development plans to construct a new baseball fields located on Thorn Avenue and Duerr Road attached to the existing OPLL. To complete this design and facilitate the construction of this new baseball field, the proposed site at the corner of Thorn Avenue and Duerr Road needs to be cleared of brush and dozed existing damage from snow storage from the storm and create a flatter, safer area for survey, residents and quantity and design needs.

The Town of Orchard Park received a submittal from Zoladz Construction Company, Inc. (Zoladz). I have met with representatives of the firm to review a scope of work and negotiated an appropriate fee structure for a Time and Materials Contract (attached rates). I believe that the proposed scope of services with Zoladz is satisfactory and will accomplish the preliminary goals of the project as set forth by the Town to prepare the site and finalize the design to complete bid documents to construct the diamond at the Thorne Avenue site. Zoladz will be mobilizing with equipment for the adjacent commercial site construction work this week.

There is presently approximately \$324,312 plus interest allocated under Capital Project AP003, Yates Park LL Ball Diamonds for this project.

I, therefore, recommend that you authorize the Supervisor to sign an agreement with Zoladz Construction Company, Inc., 13600 Railroad Street, PO Box 157, Alden, New York 14004, to provide T&M Construction Services for the Thorn Avenue Baseball Field Preparation Work in an amount not to exceed \$28,800.00.

Respectfully submitted,

Wayne L. Bieler, P.E.
Town Engineer

Attachment

Cc: Remy Orfeo, Town Clerk Timothy Gallagher, Town Attorney
Robert Dehr, Zoladz File #12-013

S:\Town Projects\Thorn Ave & Duerr Little League Topo\Letter to TB Thorn Avenue Ball Diamond Grading Professional Services.doc

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

WHEREAS, in accordance with New York State Law, Section 198, the Town Board had opted to enforce unpaid accounts for water, sewer, refuse and other unpaid Town services as indicated below, by placing a lien upon the real property for which such services were provided, and

WHEREAS, in light of the aforementioned, the Erie County Legislature shall levy in such sums as indicated below and against the applicable properties as provided for on the Town Assessor's master computer assessment roll file, which is also hereby being delivered by the Assessor with this letter of authorization:

Total Unpaid Water Erie County and Orchard Park-	\$ 1,188.14 (\$861.52 + \$326.62)
Total Unpaid Sewer	\$0
Total Unpaid Refuse	\$ 4,858.43
Total Agricultural Penalty	\$0
Total Property Maintenance & Code enf. fee	\$ 1,650 (\$1,375 + \$275)
Total Other Charges	\$0
Total Omitted Taxes	\$0

Total of Items Above **\$7,696.57**

NOW, THEREFORE be it

RESOLVED, that the Town Board of the Town of Orchard Park, in accordance with New York State Law, Section 198, does hereby adopt all special charges as outlined on the "Letter of Authorization" as recommended by the Town Accountant.

TC

WHEREAS, the Planning Board has considered the parcel identified as SBL #161.03-1-4, 4038 California Road, for rezoning from R-4 to I-1, and

WHEREAS, this is an unlisted SEQR action based on the Long EAF Parts One, Two and Three submitted by the Planning Department, and a negative Declaration is recommended, and

WHEREAS, the Planning Board has received responses submitted by the Planning Department to questions one through eleven per Town Code Article VI(c), and

Whereas, the Town Comprehensive Plan, as originally adopted on September 19, 2007 (and with subsequent revisions), has a goal to “encourage the expansion of Business and Industrial uses such as Research and Development, light manufacturing, and other non-polluting industries in locations proximate to necessary transportation, water, and sewer infrastructure”, and to “buffer new Commercial and Industrial Land uses from Residential areas with proper landscaping and screening.”, and

WHEREAS, the Town of Orchard Park, with less than 5% of its land mass zoned Industrial or Research and Development, is underserved in the amount of currently Zoned Industrial or Research and Development, and

WHEREAS, CBRE Buffalo, a national business research company, has noted that “For the Buffalo area, 2022 marked the 19th consecutive year the industrial market availability rate remained below the national average.”

NOW, therefore be it resolved

THAT the Orchard Park Planning Board recommends that the Orchard Park Town Board approve the rezoning of 4038 California Road, SBL #161.03-1-4 from R-4 to I-1.

TOWN OF ORCHARD PARK

BUILDING INSPECTOR MONTHLY REPORT

MONTH OF SEPTEMBER 2023

BUILDING PERMITS	# OF	VALUE	BUILDING PERMITS	# OF	VALUE
NEW CONSTRUCTION:			ABOVE GROUND POOLS	1	9,000.00
SINGLE DWELLING	3	1,177,995.00	INGROUND POOLS	5	464,050.00
DOUBLE DWELLING	0	0.00	DECKS	3	36315.00
APT/MULTI-FAMILY	0	0.00	ELECTRICAL	15	119,525.00
COMMERCIAL	0	0.00	FENCES	9	87,750.00
ADDITIONS:			GARAGE / BARN / POLE BARN	2	54,342.00
RESIDENTIAL	1	70,000.00	GENERATORS	21	231,161.00
COMMERCIAL	0	0.00	MISC. (OPERATING/ DEMO)	3	300.00
ALTER/REPAIR:			PORCH/PATIO	1	15,000.00
RESIDENTIAL	3	62,950.00	SHEDS	8	76,935.00
COMMERCIAL / TENANT BO	4	159,434.00	SIGNS	3	27,250.00
COMMERCIAL MISC.	2	135,100.00	RESIDENTIAL MISC.	17	243,310.00
SOLAR PV SYSTEM			TOTAL:	101	2,970,417.00

INSPECTIONS TYPE:	NUMBER OF INSPECTIONS PER ZONE				TOTAL
	1	2	3	4	
NEW CONSTRUCTION:					
RESIDENTIAL	10	4	3	5	22
COMMERCIAL	0	0	1	8	9
ADDITIONS:					
RESIDENTIAL	0	2	1	0	3
COMMERCIAL	0	0	0	2	2
ALTER/REPAIR:					
RESIDENTIAL	12	11	1	1	25
COMMERCIAL / TENANT BO	0	0	0	3	3
ABOVE GROUND POOLS	0	0	0	0	
INGROUND POOLS	1	0	0	1	2
DECKS	3	3	0	4	10
ELECTRICAL	0	0	0	0	0
FENCES	11	4	4	5	24
GARAGE/BARN/POLE BARN	1	1	1	2	5
GENERATORS	4	3	7	1	15
MISC.	1	4	11	32	48
PROPERTY MAINTANICE	4	25	10	52	91
SHEDS	6	9	1	4	20
SIGNS	0	0	0	0	0
SOLAR PV SYSTEM	0	0	0	0	0
FIRE INSPECTIONS	1	1	8	14	24
CLOSEOUT INSPECTIONS	0	0	0	0	0
TOTAL INSPECTIONS:	54	67	48	134	303

Meetings Attended	Town Board	Planning Board	Z B A	Court
Tom Minor	4	2		1
John Wittmann			1	
Tom Minor				
Robert Rendon				1

ZONING BOARD OF APPEALS:

GRANTED: 4

DENIED: 0

REMARKS:

SIGNATURE: _____



DATE: _____

10/16/2023