

**PUBLIC HEARING
V/L 4297 & 4309 Abbott Rd. for a Special Exception Use Permit**

At 7:02PM (local time) Supervisor Majchrzak called for the Public Hearing to hear all interested parties regarding V/L 4297 & 4309 Abbott Road, located on the south east corner of Abbott & Big Tree Roads, Route 20A, across from Danny's South, Zoned B-2. Ellicott Development is requesting a "Special Exception Use Permit" be granted to construct a new Gas Station with a Convenience Store Building, including a pick-up window, a six (6) dispenser fueling canopy, and driveway access to Abbott Road.

Affidavits of Publication and Posting of the Legal Notice of the Public Hearing were presented, and read aloud, and filed with the Town Board by the Town Clerk.

Supervisor Majchrzak asked if anyone is interested in speaking or making a comment.

Sean Hopkins gave a presentation in favor of the proposed Gas Station and Convenience Store Building.

Gary Trella spoke against the proposed Gas Station and Convenience Store Building.

Bob Fessler spoke against the proposed Gas Station and Convenience Store Building.

Jim Grucella spoke against the proposed Gas Station and Convenience Store Building.

Jonathan Lake spoke against the proposed Gas Station and Convenience Store Building. He also submitted a petition against the proposed project which is on file in the Town Clerk's office.

2) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR MAJCHRZAK, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER MOMBREA, TO WIT:

RESOLVED, that the Town Board does hereby close the Public Hearing for V/L 4297 & 4309 Abbott Road located on the south east corner of Abbott & Big Tree Roads, Route 20A, across from Danny's South, Zoned B-2. Ellicott Development is requesting a "Special Exception Use Permit" be granted to construct a new Gas Station with a Convenience Store Building, including a pick-up window, a six (6) dispenser fueling canopy, and driveway access to Abbott Road at 7:31PM. An area variance was granted on January 16, 2024 by the Zoning Board of Appeals.

The resolution was unanimously adopted.

****Town Board did not vote. They will vote at a future meeting****

TC

Reschedule Public Hearing

Please take notice that the Public Hearing scheduled for August 7, 2024 at 7:00pm (local time) at the Orchard Park Municipal Center S4295 South Buffalo Street, Orchard Park, New York 14127, regarding amending §144-6 by establishing a new Zoning District D-R-2 is rescheduled, date to be determined.

PUBLIC HEARING

PLEASE TAKE NOTICE that a Public Hearing will be held by the Town Board of the Town of Orchard Park on August 21, 2024 at 7:00 P.M. (local time) at the Orchard Park Municipal Center, S4295 South Buffalo Street, Orchard Park, New York 14127, regarding amending § 144-6 by establishing a new Zoning District: D-R-2.

A copy of the proposed amendment establishing the new Zoning District D-R-2 will be on file in the Town Clerk's office during normal business hours.

Remy Orffeo
Town Clerk of Orchard Park
July 17, 2024



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.

July 15, 2024

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

**Re: Final Dedication
65 and 66 Coventry Lane Sanitary Sewer Improvements
PIP #2024-01**

Dear Board Members:

On July 9, 2024, a final inspection was conducted of the public improvements (sanitary sewer improvements) constructed for the subdivision of 65 & 66 Coventry Lane Properties. The project included the installation of two sanitary sewer manholes and the extension of the sanitary sewer mainline.

All of the work has been satisfactorily completed in accordance with Town Specifications. A two-year maintenance bond in the amount of \$20,000.00 has been submitted along with all other necessary documents (easements, etc.).

I, therefore, recommend that you authorize the Town Attorney to proceed with the dedication of the public improvements for 65 & 66 Coventry Lane Sanitary Sewer Improvements constructed under PIP #2024-01 and authorize the Town Clerk to release the performance security in the amount of \$4000.00.

Respectfully submitted,

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

Attachment

Cc: Remy Orfeo, Town Clerk
Andy Slotman, Highway Superintendent

Timothy Gallagher, Town Attorney
File #2023.02

R 2

RESOLVED, that the Town Board is hereby authorized to approve a resident's request to blockade a portion of South Lane for a block party on July 20, 2024.

TC

RESOLVED, that the Town Board is hereby authorized to approve a resident's request to blockade a portion of South Lane for a block party on July 20, 2024.

TC

Whereas, the Orchard Park Highway Department has a vacant laborer position; and

Whereas, there are funds in the 2024 budget to fund a laborer position; and

Whereas, Andrew Slotman, Orchard Park Highway Superintendent, has determined that Jacob Schwab is ready and able to serve as a laborer in the Orchard Park Highway Department.

Now, therefore be it

Resolved, that based on the recommendation of Andrew Slotman, Orchard Park Highway Superintendent, Jacob Schwab is appointed as a laborer in the Orchard Park Highway Department as a Blue Collar Laborer at Step 1 of the Blue Collar Contract at a rate of \$23.68 per hour effective July 22, 2024.

TC

Whereas, the Orchard Park Highway Department has a vacant Truck Driver position; and

Whereas, there are funds in the 2024 budget to fund a Truck Driver position; and

Whereas, Andrew Slotman, Orchard Park Highway Superintendent, has determined that Chase Weber is ready and able to serve as a Truck Driver in the Orchard Park Highway Department.

Now, therefore be it

Resolved, that based on the recommendation of Andrew Slotman, Orchard Park Highway Superintendent, Chase Weber is promoted to a Truck Driver in the Orchard Park Highway Department at Job Level 2 Step 2 of the Blue Collar Contract at a rate of \$25.53 per hour effective July 22, 2024.

TC

Whereas, the Orchard Park Special District Department has a vacant Light Equipment Operator position; and

Whereas, there are funds in the 2024 budget to fund a Light Equipment Operator position; and

Whereas, Andrew Slotman, Orchard Park Highway Superintendent, has determined that Rocco Giannicchi is ready and able to serve as a Light Equipment Operator in the Orchard Park Special Districts Department.

Now, therefore be it

Resolved, that based on the recommendation of Andrew Slotman, Orchard Park Highway Superintendent, Rocco Giannicchi is promoted to a Light Equipment Operator in the Orchard Park Special Districts Department at Job Level 3 Step 6 of the Blue Collar Contract at a rate of \$30.89 per hour effective July 22, 2024.

TC

**Town of Orchard Park
Recreation Department**

4520 California Rd

Orchard Park NY 14127

welchk@orchardparkny.org (716) 662-6450 ext.1

7/17/24

To: Town Board

From: Kristin Welch

Director of Recreation

Item 1: Appt. to the staff of the Town of Orchard Park Recreation Department Summer Seasonal retro active

7/12/24, PT Seasonal 8/24/24-12/31/24

Maddie Guarino \$16.75 Program Coordinator 2*

Jonas Ganuszkiewicz \$16.25 Program Coordinator 1

Kaeli Higgins \$16.75 Lifeguard 1

Jillian Ambrose-Symons \$18.00 Director

Recreation Director: Ed Leak

Assistant Recreation Director: Kristin Santillo

TC

RESOLVED, that the Town board does hereby approve the appointment of Kyle Tower to the position of Police Officer in the Orchard Park Police Department, Step 2, effective August 1, 2024, contingent upon Erie County Civil Service Approval, as recommended by the Chief of Police.



TOWN OF ORCHARD PARK

MEMORANDUM

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

DATE: 7/12/2024

TO: Town Clerk, Remy Orffeo, Jenifer Brady, and Building Inspector Tom Minor
FROM: Anna Worang-Zizzi, Planning Secretary
SUBJECT: June 19, 2024 - TB Agenda Old Business Item

OLD BUSINESS:

The Planning Board, at their 7/11/2024 meeting made the following recommendation to the Town Board:

1. Regarding 3310 Southwestern Blvd., located on the north side of Southwestern Blvd, west of "five corners" (former auto parts store), Zoned B-1 (SBL# 152.16-6-1.112), the Planning Board recommends that the Town Board **APPROVE** the presented Site Plan and **AUTHORIZE** a Building Permit, to construct a parking lot expansion for a net increase of 20-spaces for a total of 43 spaces, and a planned additional 9-spaces (for a total of 52) in Phase 2, for a "Swim Club", per the plan received on 7/5/2024, 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 submitted on 3/18/2024, and a Negative Declaration is made.
 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 5/31/2024, was approved with the Total Green Space meeting the Town requirement of 20%. In accordance with Section 144-44(c)(1)(a)(2) a Certified Check amounting to 50% of the \$4,865 Landscaping Estimate Value shall be deposited with the Town Clerk. (\$2,432.50) Conservation Board approval was granted on 7/02/2024.
 6. Any future dumpsters shall be screened, in accordance with Section 144-25 of the Town Code.
 7. Engineering Approval was granted on 7/10/2024.

2. Regarding 7 Cobham Drive, Curbell Inc., located in the Quaker Industrial Park, Zoned I-1 (SBL# 161.19-1-4.111) the Planning Board recommends that the Town Board **APPROVE** the presented Site Plan and **AUTHORIZE** a Building Permit, to construct a Pole Barn per the plan received on 6/12/2024, 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 submitted on 3/24/2024, and a Negative Declaration is made.
 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. Any future dumpsters shall be screened, in accordance with Section 144-25 of the Town Code.
 7. The applicant is to provide the Town of Orchard Park Assessor with an "independent" appraisal for the completed project by a Certified Commercial Appraiser
 9. Engineering Approval was granted on 7/10/2024.



TOWN OF ORCHARD PARK

TU

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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.

July 15, 2024

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

Re: Surplus Vehicle (Age & Costly Repairs)
2015 Ford F150 Super Cab (VIN #1FTFX1EF4FFC95618)
Assignment to Engineering Department

Dear Board Members:

The Engineering Department recommends replacing the 9 year old 2015 truck. Vehicles in the fleet are typically used by several employees and end up being used by Engineering or Special District summer help.

The 2015 F150 Super Cab 4x4 truck is currently still being used for surveying but experiencing repair issues often, is badly rusted, has body damage, and is becoming questionable to pass inspection. This 2015 vehicle has 52,630 miles and a lot of idling time.

The truck runs and is drivable but very limited, so sending it to public auction would most likely be in the Town's best interest. Brakes are questionable, all hydraulic lines are bad, transmission issues and sensor needs to be replaced. The repairs needed totaled \$6,000.00. A trade in value has also been requested from dealer.

I, therefore, recommend that you declare the 2015 F150 Super cab (VIN #1FTFX1EF4FFC95618) as a surplus vehicle, and authorize the sale of this vehicle or trade in.

Very truly yours,

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

cc: Remy Orfeo, Town Clerk
Andy Slotman, Highway Superintendent

Nichole Ruf, Drescher & Malecki
File



TOWN OF ORCHARD PARK

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TOWN ENGINEER
WAYNE L. BIELER, P.E.

July 15, 2024

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

Re: Purchase New Truck 2024 - Assignment to Engineering Department Inspector

Dear Board Members:

The Engineering Department would like to purchase a new 2024 in stock Ford Supercab F150XL to replace the survey truck for the department, which is not useable.

The funds are already in the budget for this year; #AO1440-50200 Engineering Equipment \$52,144.36 balance to cover the cost.

I, therefore, recommend that you authorize the purchase of a new 2024 Ford Supercab F150XL from DeLacy Ford under State/County Bid for \$46,730.00 for the Orchard Park Engineering Department.

Very truly yours,

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

cc: Remy Orffeo, Town Clerk
Andy Slotman, Highway Superintendent

Tom Malecki, Drescher & Malecki
File



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TOWN ENGINEER
WAYNE L. BIELER, P.E.

July 15, 2024

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

**Re: Advertisement for Bid
Berg Road Pump Station Replacement Project**

Dear Board Members:

The Orchard Park Engineering Department, as directed, is finalizing plans, specifications, and bid documents for the replacement of the Berg Road Pump Station. Plans and specifications for the Berg Road Pump Station replacement Project, prepared by Barton & Loguidice, D.P.C., are available for review in the Engineering Department Office.

The work will entail the removal of the existing pump station, replacement with a new complete updated pump station, including a new wet well, dry well and new building to house a new gas fired generator for the pump station. Bid documents will be available July 31, 2024.

I, therefore, recommend that you authorize advertisement in the Orchard Park Bee for sealed bids for the Berg Road Pump Station Replacement Project to be opened on August 29, 2024 at 10:00 am at the Orchard Park Municipal Center, Basement Meeting Room.

Respectfully submitted,

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

Attachment

cc: Remy Orfeo, Town Clerk
Andrew Slotman, Highway Superintendent/Special Districts
File # 2022.005

Timothy Gallagher, Town Attorney
Bill Fulton, Crew Chief - Special Districts

NOTICE TO BIDDERS

TOWN OF ORCHARD PARK

Berg Road Pump Station Replacement Project

Sealed bids are requested for the replacement of Mid County Pump Station within the Town of Orchard Park, New York.

Bids shall be received at the office of the Town Clerk in the Municipal Center, 4295 South Buffalo Street, Orchard Park, New York until August 29, 2024 at 11:30AM (Local Time) at which time they will be opened publicly and read aloud in the Supervisors Conference Room. Each bid must be prepared and submitted in accordance with the Bidding and Contract Documents. Each bid must also be accompanied by a Bid Security in the form of a Certified Check, Bid Bond, or Bank Check in the following amount;

Contract #1 - General:	10% the Bid Price.
Contract #2 - Electrical:	10% the Bid Price.

Plans, specifications, bid documents and instructions for submitting bids will be available at the office of the Town Clerk beginning on August 1, 2024 in the Municipal Center, 4295 South Buffalo Street, Orchard Park, New York Monday through Friday during business hours from **8:30 A.M. to 4:30 P.M.** (Local Time), with payment of **\$150** for each set.

A pre-bid meeting has been scheduled for Thursday August 22, 2024 at 10AM in the Engineering Conference Room located on the second floor of the Orchard Park Municipal Building at 4295 S. Buffalo Street, Orchard Park, NY.

Any non-successful Bidder, upon returning such plans, specifications, and bid documents in good condition subsequent to the opening of bids will be refunded the sum of **\$50.00**, and any non-bidder upon so returning such plans, specifications and bid documents will be refunded the sum of **\$10.00**. No refunds will be made for plans in condition not fit for further use or returned later than 10 days after the bid opening date.

Copies of the proposed contract documents, plans and specifications may be examined at the office of the Engineer, 4295 South Buffalo Street, Orchard Park, New York.

The Town of Orchard Park has been and will continue to be an equal opportunity organization. All qualified Minority and Women-Owned Business Enterprises (MWBE) suppliers, contractors and/or businesses will be afforded equal opportunity without discrimination because of race, color, religion, national origin, sex, age, disability, sexual preference or Vietnam Era Veteran status.

Remy Orffeo
Town Clerk
Town of Orchard Park

Dated: July 17, 2024

NB - 1



TOWN OF ORCHARD PARK

ENGINEERING DEPARTMENT

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

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TOWN ENGINEER
WAYNE L. BIELER, P.E.

July 15, 2024

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

**Re: Consultant Agreement
Professional Services (Geotechnical Consulting, Special Inspections and
Concrete Testing)**

Dear Board Members,

As you are aware, during construction projects, the Town requires specialty construction inspections and testing to determine the strength of concrete/compaction of soils placed in the field, etc. The Engineering Department staff prepares molds at the time the concrete is placed. The molds are tested at different intervals, to confirm if the concrete has reached its designed strength. Soil samples are pulled from embankment sources for standard proctor soil testing, nuclear testing for compaction of soils in the right-of-ways for construction if deep fill areas are needed.

The Engineering Department requested proposals from all of the local testing firms. We received proposals from three firms. After analysis of the proposals, I have determined Barron and Associates to be the most reasonable for meeting all the Town's needs.

I, therefore, recommend that you authorize the Supervisor to sign an agreement with Barron and Associates, 10440 Main Street, Clarence, New York, 14031 to provide professional services for Geotechnical Consulting, Special Inspection and Concrete Testing at a time and material rate as described in the attached agreement.

Very truly yours,

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

Attachment.

Cc: Remy Orfeo, Town Clerk
File:

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

TOWN OF ORCHARD PARK

BUILDING INSPECTOR MONTHLY REPORT

MONTH OF JULY 2024

BUILDING PERMITS	# OF	VALUE	BUILDING PERMITS	# OF	VALUE
NEW CONSTRUCTION:			ABOVE GROUND POOLS	1	500
SINGLE DWELLING	6	2,951,502	INGROUND POOLS	6	397,150
DOUBLE DWELLING	0	0	DECKS	3	23,272
APT/MULTI-FAMILY	0	0	ELECTRICAL	3	4,137
COMMERCIAL	0	0	FENCES	15	128,506
ADDITIONS:			GARAGE / BARN / POLE BARN	12	122,000
RESIDENTIAL	1	110,000	GENERATORS	12	147,629
COMMERCIAL	1	49,000	MISC. (OPERATING/ DEMO)	1	100
ALTER/REPAIR:			PORCH/PATIO	7	280,350
RESIDENTIAL	7	121,650	SHEDS	14	101,583
COMMERCIAL / TENANT BO	2	588,000	SIGNS	5	24,700
COMMERCIAL MISC.	4	452,834	RESIDENTIAL MISC.	29	589,275
SOLAR PV SYSTEM	0	0	TOTAL:	120	6,092,188

INSPECTIONS TYPE:	NUMBER OF INSPECTIONS PER ZONE				TOTAL
	1	2	3	4	
NEW CONSTRUCTION:					
RESIDENTIAL	12	8	5	12	37
COMMERCIAL	0	0	1	8	9
ADDITIONS:	0	0	0	0	0
RESIDENTIAL	5	2	0	0	7
COMMERCIAL	0	2	0	2	4
ALTER/REPAIR:	0	0			
RESIDENTIAL	8	4	3	3	18
COMMERCIAL / TENANT BO	0	0	2	5	7
ABOVE GROUND POOLS	0	0	0	0	0
INGROUND POOLS	0	0	0	0	0
DECKS	4	5	9	1	19
ELECTRICAL	0	0	0	0	0
FENCES	0	0	3	1	4
GARAGE/BARN/POLE BARN	2	4	0	1	7
GENERATORS	1	1	0	3	5
MISC.	2	2	5	7	16
PROPERTY MAINTANICE	4	4	8	9	25
SHEDS	3	0	4	0	4
SIGNS	0	0	1	0	1
SOLAR PV SYSTEM	0	0	0	0	0
FIRE INSPECTIONS	2	0	15	13	30
CLOSEOUT INSPECTIONS	0	0	0	0	0
TOTAL INSPECTIONS:	43	32	53	65	193

Meetings Attended	Town Board	Planning Board	Z B A	Court
Tom Minor	4	2	0	0
John Wittmann	0	0	1	0
Paul Tatko	0	0	0	0
Natalie Nawrocki	0	0	0	0

ZONING BOARD OF APPEALS:

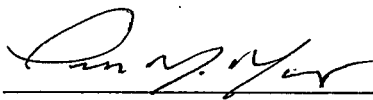
GRANTED: 2

TABLED 1

DENIED: 0

REMARKS:

SIGNATURE: _____



DATE: _____

 7/8/2024