

A Meeting of the Town Board of the Town of Orchard Park, Erie County, New York, was held at the Orchard Park Municipal Center, S4295 South Buffalo Street, Orchard Park, New York on the 4<sup>th</sup> day of February 2026 at 7:05 PM, the meeting was called to order by Supervisor Joseph Liberti and there were:

**PRESENT AT ROLL CALL:**

|                      |                         |
|----------------------|-------------------------|
| Joseph Liberti       | Supervisor              |
| Julia Mombrea        | Councilmember           |
| Scott Honer          | Councilmember           |
| John Mariano         | Councilmember           |
| Greg Bennett         | Councilmember           |
| William Even         | Town Clerk              |
| Timothy D. Gallagher | Town Attorney           |
| Tom Minor            | Building Inspector      |
| Greg Sheppard        | Interim Chief of Police |
| Andrew Slotman       | Highway Superintendent  |
| Wayne Bieler         | Town Engineer           |

**Supervisor Liberti read into the record the following:** “If anyone appearing before the Town Board has a family, financial or business relationship with any member of the Board, it is incumbent upon that person to make it known under State Law and the Town Code of Ethics.”

**1) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR LIBERTI, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER MARIANO, TO WIT:**

**RESOLVED**, that the Town Board does hereby approve the Regular Meeting Minutes: January 21, 2026 and be it further

**RESOLVED**, that the reading of these minutes be dispensed with as each member of the Town Board has previously received copies thereof.

**The resolution was unanimously adopted.**

**PUBLIC COMMENT ON OLD BUSINESS**

No one came forward

**Old Business #1 Approve Final Change order & release of Retention (General Construction) for the Multi-Use Maintenance Facility Phase 2, Salt & Topsoil Building Storage Project.**

**2) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR LIBERTI, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER BENNETT, TO WIT:**

**WHEREAS**, the construction work for the general construction contract, on the Multi-Use Maintenance Salt & Topsoil Building Storage Project has been completed. On October 7, 2025, a final inspection was conducted and all of the Final Punch List work has since been satisfactorily completed in accordance with the contract documents and specifications, with the exception of the lawn restoration at the Topsoil Building Site; and

**WHEREAS**, due to the cold temperatures, the touchup work performed this past fall on the site has not had a chance to germinate. The contractor is issuing the Town an escrow check in the amount of \$2,800.00 to hold as security until the lawn restoration reaches 90% stabilization; and

**WHEREAS**, a two-year maintenance bond, in the amount of \$1,459,133.03, has been submitted along with the Affidavit of Release of Liens, Affidavit of Subcontractor Payment, and necessary legal documents.

**NOW, THEREFORE be it**

**RESOLVED**, that the Town Board does hereby approve the final change order; and be it further

**RESOLVED**, that the Town Board does hereby authorize release of the retention for the Multi-Use Maintenance Facility Phase 2, Salt & Topsoil Building Storage Project (General Construction) to Cavlee Development Inc. 5983 S. Transit Road, Lockport, New York 14094, in the amount of \$72,894.15; and be it further

**RESOLVED**, that the Town Board does hereby authorize the Town Clerk to release Cavlee Development Inc. performance security in the amount of \$1,315,500.00 as recommended by the Town Engineer.

**The resolution was unanimously adopted.**

**PUBLIC COMMENT ON NEW BUSINESS**

Rosalind Wiltse asked for clarification on New Business #12. Supervisor Liberti responded.

**New Business #1 Approve the Gril-Mato 5K Special Event.**

**3) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR LIBERTI, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER HONER, TO WIT:**

**RESOLVED**, that the Town Board does hereby approve the Special Event Permit request for the Gril-Mato 5K / ½ mile Kids Run to be held on Saturday February 21, 2026 from 9AM – 12PM.

**The resolution was unanimously adopted.**

**New Business #2 Extend the appointment of Interim Chief of Police.**

**4) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR LIBERTI, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER MARIANO, TO WIT:**

**WHEREAS**, Greg Sheppard is presently serving as Interim Police Chief and his term is set to expire on February 4, 2026; and

**WHEREAS**, the governing body finds it necessary and in the best interest of the department to extend Chief Sheppard's appointment to ensure continuity of leadership;

**NOW, THEREFORE, be it**

**RESOLVED**, that Greg Sheppard's appointment as Chief be and hereby is extended for an additional thirty (30) days, through and including March 6, 2026, under the same terms and conditions presently in effect; and be it further

**RESOLVED**, that this resolution shall take effect immediately upon its adoption.

**The resolution was unanimously adopted.**

**New Business #3 Approve the promotion of a Highway Department Truck Driver**

**5) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR LIBERTI, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER HONER, TO WIT:**

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

**WHEREAS**, there are funds in the 2026 budget to fund a Truck Driver position; and

**WHEREAS**, Andrew Slotman, Orchard Park Highway Superintendent, has determined that Colton Little is ready and able to serve as a Truck Driver in the Orchard Park Highway Department.

**NOW, THEREFORE be it**

**RESOLVED**, the Town Board does hereby approve the promotion of Colton Little to Truck Driver in the Orchard Park Highway Department, at Job Level 2 Step 1 of the Blue Collar Contract, at a rate of \$27.55 per hour effective February 1, 2026, based on the recommendation of Andrew Slotman, Orchard Park Highway Superintendent.

**The resolution was unanimously adopted.**

**New Business #4 Approve a Community Easter Egg Hunt Special Event.**

**6) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR LIBERTI, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER BENNETT, TO WIT:**

**RESOLVED**, that the Town Board does hereby approve the Special Event Permit request for the Community Easter Egg Hunt organized by the Orchard Park Wesleyan Church to be held on Saturday March 28, 2026 from 9AM – 1PM at the outfield of the baseball diamonds at Green Lake.

**The resolution was unanimously adopted.**

**New Business #5 Approve appointment of a Certified NYS Code Enforcement Officer.**

**7) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR LIBERTI, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER MARIANO, TO WIT:**

**WHEREAS**, on October 31, 2025 John Wittman retired from the Orchard Park Building Department as Code Enforcement Officer; and

**WHEREAS**, the Town Board authorized a promotion of Paul Tatko to Code Enforcement Officer from the position of an Assistant Code Enforcement Officer; and

**WHEREAS**, the position of Assistant Code Enforcement Officer and the correlating duties of the position are currently vacant; and

**WHEREAS**, also the Building Department has an ample workload regarding code violation complaints, building inspections on a daily basis and also provides extended code enforcement duties during the calendar year.

**NOW, THEREFORE be it**

**RESOLVED**, that the Town Board hereby authorizes the provisional hiring of Jakob Klahn on February 17, 2026 for the position of an Assistant Code Enforcement Officer at the pay rate of \$31.28 per hour and at Range 0009, Step “A” (\$31.28) per the White Collar Union as recommended by the Town Building Inspector.

**The resolution was unanimously adopted.**

**New Business #6 Approve appointment of part-time staff to the Orchard Park Recreation Department.**

**8) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR LIBERTI, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER BENNETT, TO WIT:**

**RESOLVED**, that the Town Board does hereby approve the following residents’ appointments to the 2026 part-time staff for the Orchard Park Recreation Department effective February 7, 2026 as recommended by the Recreation Director:

|              |                            |
|--------------|----------------------------|
| Ryan Lehman  | \$17.75 Program Supervisor |
| Ayla Pitirri | \$17.25 Lifeguard          |

**The resolution was unanimously adopted.**

**New Business #7 Approve a Public Safety Dispatcher**

**9) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR LIBERTI, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER MARIANO, TO WIT:**

**RESOLVED**, that the Town Board does hereby appoint Eric Burt to the position of part-time seasonal Public Safety Dispatcher, to be effective 2/6/2026 at an hourly rate of \$28.15/hr, as recommended by the Acting Chief of Police.

**The resolution was unanimously adopted.**

**New Business #8 Approve the creation of a “Community Pool Committee” and appoint the members and Liaison for it.**

**10) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR LIBERTI, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER BENNETT, TO WIT:**

**WHEREAS**, the results of the Town’s Comprehensive Plan Study Survey, Focus Group discussions, and comments from the public at recent Open Houses, have all indicated broad support for a community pool in the Town of Orchard Park.

**NOW, THEREFORE be it**

**RESOLVED**, that the Town Board does hereby create a “Community Pool Committee” to prepare a report to the Town Board on cost, design, feasibility etc.; and be it further

**RESOLVED**, that the Town Board does hereby appoint the following members and Liaison:

Anna Worang-Zizzi  
Kristin Welch  
Henry Heppner  
Sue Hemingway  
Maria Galley  
Adam Houle  
Wayne Bieler

Peter Lukasiewicz – Secretary  
Councilman Mariano as Liaison

**The resolution was unanimously adopted.**

**New Business #9 Refer to the Planning and Conservation Board for their Recommendation**

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

**RESOLVED**, that Town Board does hereby refer the following to the Planning and Conservation Board for their recommendation:

- Regarding **3129 Orchard Park Road, located in the old Valu Plaza, Zoned B-2**. Applicant is proposing a change of use from mercantile, to multiple mercantile and restaurant businesses. (SBL #152.12-4-8 & 9)

**The resolution was unanimously adopted.**

**New Business #10 Authorize Orchard Park's Grant consultants to apply for a Municipal Parks and Recreation Grant through the NYS Office of Parks, Recreation and Historic Preservation for Inclusive Playground Improvements at Green Lake Park.**

12) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR LIBERTI, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER MARIANO, TO WIT:

**WHEREAS**, the Town of Orchard Park owns and maintains Green Lake Park, a vital community recreational asset that provides outdoor recreation opportunities for residents and visitors of all ages and abilities; and

**WHEREAS**, the existing playground at Green Lake Park is aging and no longer fully meets current safety standards, accessibility expectations, or the recreational needs of the community; and

**WHEREAS**, the Town seeks to renovate the existing playground into a **modern, inclusive play environment** designed in accordance with **universal design principles**, providing meaningful play opportunities for children of varying ages and abilities, including individuals with disabilities; and

**WHEREAS**, the proposed playground improvements will incorporate **ADA-compliant access routes, inclusive play equipment, safety surfacing, and durable materials** that support long-term use, reduce maintenance demands, and extend the useful life of the facility; and

**WHEREAS**, the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) administers the Municipal Parks and Recreation Grant Program, which provides funding assistance for capital improvement projects that enhance public access, recreation, inclusivity, and park sustainability; and

**WHEREAS**, the Town of Orchard Park is eligible to apply for funding under this program, with the grant award not to exceed **Nine Hundred Thousand Dollars (\$900,000)** and requiring a **ten percent (10%) local match**, which the Town is prepared to provide; and

**WHEREAS**, the Town desires to authorize its grant consultant, **J. O'Connell and Associates**, to prepare and submit the grant application and all required supporting documentation on behalf of the Town.

**NOW, THEREFORE, be it**

**RESOLVED**, that the Town Board of the Town of Orchard Park hereby authorizes and approves the submission of an application to the **New York State Office of Parks, Recreation and Historic Preservation** for a **Municipal Parks and Recreation Grant** to support the **renovation of the existing playground at Green Lake Park**, with improvements that emphasize **accessibility, inclusivity, safety, sustainability, and ease of long-term maintenance**, consistent with OPRHP program goals; and be it further

**RESOLVED**, that the Town Board hereby authorizes **J. O'Connell and Associates**, the Town's grant consultants, to prepare, execute, and submit the grant application and all required supporting materials on behalf of the Town; and be it further

**RESOLVED**, that the Town of Orchard Park agrees to provide the required **ten percent (10%) local match** in accordance with program requirements and to assume responsibility for any project costs not covered by grant funding; and be it further

**RESOLVED**, that the Town Supervisor and/or other appropriate Town officials are hereby authorized to execute any and all documents necessary to effectuate this resolution and to accept the grant award if funding is approved.

**The resolution was unanimously adopted.**

**New Business #11 Approve pay rate adjustment in the Records Management Office.**

**\*This item was tabled.**

**New Business #12 Salary Correction for the Town Clerk.**

**13) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR LIBERTI, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER MOMBREA, TO WIT:**

**WHEREAS**, the Town Board of Orchard Park previously established the salary of the Town Clerk; and

**WHEREAS**, it has since come to the attention of the Town Board that an error was made in a prior resolution affecting the Town Clerk's salary;

**NOW, THEREFORE, be it**

**RESOLVED**, that the Town Board of Orchard Park hereby corrects the prior salary resolution and establishes the annual salary of the Town Clerk at Seventy-Six Thousand Dollars (\$76,000); and be it further

**RESOLVED**, that said salary shall be effective January 1, 2026.

**The resolution was unanimously adopted.**

### **BUSINESS FROM THE FLOOR**

Rosalind Wiltse spoke regarding large trucks and construction in the Birdsong Pkwy/Rock Dove Ln area.

**ELECTED OFFICIALS & DEPARTMENT MANAGERS**

Supervisor Joseph Liberti thanked Town Clerk William Even for reading this meeting's resolutions. He congratulated all newly hired and promoted employees. He also thanked Interim Police Chief Gregory Sheppard for continuing his appointment for an additional thirty days.

Councilmember Scott Honer congratulated all newly hired and promoted employees. He thanked Town Clerk William Even for reading this meeting's resolutions and John Wittman for his years of service. He also thanked Interim Police Chief Gregory Sheppard for continuing his appointment for an additional thirty days.

Councilmember Julia Mombrea congratulated all newly hired and promoted employees.

Councilmember John Mariano congratulated Colton Little, Eric Burt & Jakob Klahn on their appointments.

Town Clerk William Even thanked the Town Board for approving his salary correction.

Town Engineer Wayne Bieler spoke regarding expansion construction in the Birdsong Parkway/Rock Dove Lane area.

Building Inspector Tom Minor spoke regarding code enforcement of expansion construction in the Birdsong Parkway/Rock Dove Lane area. He also thanked the Town Board for approving the appointment of a Code Enforcement Officer.

Highway Superintendent Andrew Slotman spoke regarding the limited supply of rock salt. He also congratulated Colton Little on his promotion.

Interim Police Chief Greg Sheppard congratulated Eric Burt on his appointment as a Public Safety Dispatcher.

**14) THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR LIBERTI, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER MARIANO, TO WIT:**

**RESOLVED**, that the Town Board does hereby authorize the approval of all entries on Warrant #3 following auditing by members of the Town Board and in the funds indicated:

|                           |              |
|---------------------------|--------------|
| <b>General Fund</b>       | \$123,597.65 |
| <b>Public Safety Fund</b> | \$35,230.16  |
| <b>Part Town Fund</b>     | \$1,539.11   |
| <b>Risk Retention</b>     | -0-          |
| <b>Cemetery Fund</b>      | -0-          |
| <b>Highway Fund</b>       | \$73,108.30  |
| <b>Special Districts</b>  | \$14,327.73  |
| <b>Trust &amp; Agency</b> | \$6,109.53   |
| <b>Capital Fund</b>       | \$131,456.74 |

**The resolution was unanimously adopted.**

**COMMUNICATION**

**15) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER MARIANO, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER MOMBREA, TO WIT:**

**RESOLVED**, that the Town Board does hereby receive and file the communication regarding the meeting about a community pool in Orchard Park.

**The resolution was unanimously adopted.**

There being no further business, on a motion by Supervisor Liberti, seconded by Councilmember Honer, the meeting adjourned at 7:34 pm (local time).

**Respectfully Submitted,**

**William C. Even  
Town Clerk**