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 7th day of October 2026 at 7:30 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
Excused John Mariano	Councilmember
Greg Bennett	Councilmember
William Even	Town Clerk
Timothy D. Gallagher	Town Attorney
Tom Minor	Building Inspector
Brendon O'Hara	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 MOMBREA, TO WIT:

RESOLVED, that the Town Board does hereby approve the Regular Meeting Minutes: September 16, 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.

Supervisor Liberti announced that Orchard Park will not be enforcing RV parking at the Stadium this year. The Town Board will address it in and for the 2027-2028 year.

PUBLIC HEARING
Proposed zoning map and ordinance amendments to establish a new Gateway Mixed-Use (GMU) Zone. Local Law 6-2026 Gateway Mixed Use (GMU) & Update to Stadium Mixed Use (SMU)

At 7:31pm (local time) Supervisor Liberti called for the Public Hearing to hear all interested parties regarding the proposed zoning map and ordinance amendments to establish a new Gateway Mixed-Use (GMU) Zone. It was seconded by Councilmember Mombrea.

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.

Ed Flynn from Labella Associates spoke regarding the proposed Gateway Mixed Use zone and the updates to Stadium Mixed Use.

Supervisor Liberti asked if anyone is interested in speaking or making a comment in favor of the proposed Local Law 6-2026.

The following residents spoke in favor of the proposed Local Law:
Jim Grucella – 5575 Big Tree Rd.
Jon Pierowicz
George Schmelzer – 5313 Big Tree Rd.
Mark from Danny's
Mary Turonowski – 60 Carriage Dr.
Joshua Roman submitted an email in favor of Local Law 6-2026
Jon Pierowicz submitted an email in favor of Local Law 6-2026

Supervisor Liberti asked if anyone is interested in speaking or making a comment in opposition of the proposed Local Law 6-2026.

The following residents spoke in opposition to the proposed Local Law:
Eric Matwijow
Sandra Buggenhagen
Ryan Keem – 184 E. Abbott Grove
Lou Boehm – 6149 Lake Ave.
Robert Fessler – 5289 Big Tree
Jacquelyn Hallinin – 3851 Sheldon Rd.
William Tryell – 5053 Big Tree Rd.
Stephanie Cellino – 5454 & 5464 Big Tree Rd.
Andrew Duman – 178 E. Abbott Grove
Brian Podolski – 17 Pleasant
Mina Dejesus – 170 E. Abbott Grove
Richard Meister – 3587 Abbott Grove
Cory Brauch – 4343 Abbott Rd.
Doug Bellus – 3859 Sheldon
Mark Lester – 5265 Big Tree Rd.
Joe Gill – 3857 Sheldon
Martin Hallinan – 3851 Sheldon
Dan Wozniak – 3883 Sheldon
Shannon Sam – 49 Saybrook
Lisa Young – 117 Oakwood St.
James Mc Manus – 97 Oakwood
Scott Wurstner – 3955 South Dr.
Tom Leone – 5581 Lake Ave.
Rosalind Wiltse
Mr. & Mrs. Cellino submitted an email opposing Local Law 6-2026.

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

RESOLVED, that the Town Board does hereby close the Public Hearing for proposed Local Law 6-2026 Zoning map and Ordinance amendments to establish a new Gateway Mixed-Use (GMU) Zone at 9:00 PM.

The resolution was unanimously adopted.

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

The proposed Local Law "Gateway Mixed Use (GMU) & Update to Stadium Mixed Use (SMU)" was tabled.

PUBLIC COMMENT ON OLD BUSINESS

No one came forward

Old Business #1 Authorize the Town Clerk to release the $2,000.00 held in escrow under Floodplain Development Permit #2026-02 for the performance escrow for 2-36" culvert replacement at 7425 Jewett Holmwood to Eagle Ridge Recreation Associates.

4) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER HONER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER BENNETT, TO WIT:

WHEREAS, on July 15, 2026, the Town Board granted approval of Floodplain Development #2026-02 to replace two 36-inch culverts at 7425 Jewett Holmwood Road, Orchard Park, New York 14127. At that time, the applicant (Eagle Ridge Recreation Association of the same address) provided a security cashier's check in the amount of $2,000.00 in lieu of standard security bond, to be held until the work was completed and accepted by the Engineering Department; and

WHEREAS, the applicant has since completed his work, which was inspected by the Engineering Department and found to be in compliance with Town specifications.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby authorize the Town Clerk to release the cash security in the amount of $2,000.00 to Eagle Ridge Recreation Association, PO Box 441, Orchard Park, New York 14127 for the Floodplain Development #2026-02 of 7425 Jewett Holmwood Road as recommended by the Town Engineer.

The resolution was unanimously adopted.

Old Business # 2 Approve the final change order/final payment and authorize release of retention for the Thorn Ave / Duerr Rd. 90ft Baseball Diamond – Fencing Project to Greenauer Blacktop Inc. in the amount of $103,655.00

5) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER MOMBREA, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER BENNETT, TO WIT:

WHEREAS, the construction work for the Earthwork Construction Contract, on the Orchard Park Little League, 90' Baseball Diamond Project has been completed. On March 6, 2026, a final inspection was conducted, and all Final Punch List work has since been satisfactorily completed in accordance with the contract documents and specifications; and

WHEREAS, a two-year maintenance bond, in the amount of $539,800.00, has been submitted along with the Affidavit of Release of Liens, Affidavit of Subcontractor Payment, and necessary legal documents. A Contingency Allowance was not required, which resulted in a $50,000.00 reduction to the final contracted amount.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby approve the final change order and authorize release of the retention for the Orchard Park Little League, 90' Baseball Diamond Project, Thorn Ave. / Duerr Road Facility (Earthwork Contract) to Greenauer Blacktop Inc., 391 French Road, West Seneca, New York 14224, in the amount of $103,655.00; and be it further

RESOLVED, that the Town Board does hereby authorize the Town Clerk to release Greenauer Blacktop Inc. performance security in the amount of $470,300.00 as recommended by the Town Engineer.

The resolution was unanimously adopted.

Old Business #3 Approve Change Order #2 to our Contract with Nussbaummer & Clark for the Design of Elmtree Road and Dorchester Road Reconstruction Project.

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

WHEREAS, regarding the Elmtree and Dorchester Reconstruction Project, Nussbaumer & Clarke Inc. is finalizing the design. They are requesting compensation for additional services rendered which were not included in their original proposal. The additional work includes stream channel design, wetlands permitting, pre-cast concrete structure design within a stream crossing, easement mapping and description preparation, National Fuel Gas main conflicts, and relocation. The cost of this work is $28,000.00; and

WHEREAS, this change order would represent 27.34% of the new contract amount of $102,350.00.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby approve Change Order #2 for the contract with Nussbaumer & Clarke, Inc., 3556 Lake Shore Road, Suite 500, Buffalo, New York 14219 for the Mapping of Survey Data for the Elmtree and Dorchester Reconstruction Project in an amount not to exceed $28,000.00 as recommended by the Town Engineer.

The resolution was unanimously adopted.

PUBLIC COMMENT ON NEW BUSINESS

No one came forward

New Business #6 Appoint a Police Officer

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

WHEREAS, a vacancy exists within the Town of Orchard Park Police Department for the position of Police Officer; and

WHEREAS, the Chief of Police has conducted a review of the candidate's qualifications and background and has recommended the appointment of Robert Majewski to the position of Police Officer;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board does hereby approve the appointment of Robert Majewski to the position of Police Officer, (Permanent — Transfer) effective October 12th, 2026, at step 2 of the Orchard Park Police Benevolent Association, Inc. current collective bargaining agreement, contingent upon Erie County Civil Service approval, as recommended by the Chief of Police.

The resolution was unanimously adopted.

New Business #1 Authorize the Supervisor to sign agreement with the Town of Hamburg for the Certificate of Need to operate an ambulance service.

8) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER HONER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER MOMBREA, TO WIT:

WHEREAS, the Town Board of the Town of Orchard Park recognizes that timely, reliable emergency medical services are vital to the health, safety, and welfare of residents and visitors throughout the region; and

WHEREAS, the Town of Orchard Park desires to seek authorization to establish and operate an ambulance service serving all or a portion of the Town of Hamburg, Erie County, New York, subject to all applicable state, county, and local laws, regulations, approvals, and operational requirements; and

WHEREAS, operation of an ambulance service in New York requires approval through the Certificate of Need process administered by the appropriate emergency medical services authorities;

RESOLVED, the Town Board does hereby authorize the Supervisor to sign the contract with the Town of Hamburg for the Certificate of Need to operate an ambulance service; and be it further

RESOLVED, by the Town Board of the Town of Orchard Park, Erie County, New York on the day of October 7, 2026, approve this resolution.

The resolution was unanimously adopted.

New Business #2 Approve a 2026 Mobile Vending Permit for Truvyne Coffee LLC.

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

WHEREAS, a certificate of liability insurance for Truvyne Coffee LLC has been provided; and

WHEREAS, Truvyne Coffee LLC has agreed to comply with the Town of Orchard Park Town Code and policies; and

WHEREAS, all fees and departmental approvals have been met regarding Truvyne Coffee trailer LLC.

NOW, THEREFORE, be it

RESOLVED, that the Town Board of Orchard Park approves the Town Mobile Food Vending Permit of the Truvyne Coffee trailer in the Town of Orchard Park for the year 2026.

The resolution was unanimously adopted.

New Business #3 Approve the 2027 Brush contract extension

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

WHEREAS, the Town of Orchard Park has a contract with Tom Greenauer Development, Inc. for hauling and disposal of tree/brush waste, and

WHEREAS, the contract is for the town-wide collection, hauling, and disposal of tree/brush waste excluding the Village of Orchard Park, and

WHEREAS, sections 8 and 9 of the contract allow for an extension of the contract and an increase in the payment.

NOW, THEREFORE be it

RESOLVED that the Town Board does hereby approve the contract with Tom Greenauer Development, Inc. which is extended from May 1, 2027 to November 30, 2027; and be it further

RESOLVED, that the Town Board does hereby approve the 5% increase of the payment in accordance with section 9 (c) of the contract.

The resolution was unanimously adopted.

New Business #4 Approve the appointment of a Highway Laborer

11) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER HONER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER BENNETT, TO WIT:

WHEREAS, the Orchard Park Highway Department has an open laborer position; and

WHEREAS, there are funds in the 2026 budget to fund a laborer position; and

WHEREAS, Andrew Slotman, Orchard Park Highway Superintendent, has determined that Alan Checko 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, Alan Checko 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 $27.06 per hour effective September 28, 2026.

The resolution was unanimously adopted.

New Business #5 Approve the appointment of a Highway Truck Driver

12) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER HONER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER BENNETT, TO WIT:

WHEREAS, the Orchard Park Highway Department has an open 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 Kevin Scarsella 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, Kevin Scarsella is appointed as a Truck Driver in the Orchard Park Highway Department as

a Blue Collar Truck Driver at Step 1 of the Blue Collar Contract at a rate of $27.55 per hour effective September 28, 2026.

The resolution was unanimously adopted.

New Business #7 Approve the appointment of an Office Assistant to the Senior Center

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

WHEREAS, the Town Board recognizes the importance of dependable employees whose knowledge and service contribute positively to the community; and

WHEREAS, it is in the best interest of the Town to hire Sharon Merckel in a capacity that supports both the operational needs of the Town and the services provided to the residents; and

WHEREAS, Senior Center Director Maria Galley has recommended the appointment of Sharon Merckel to the position of Part-Time Office Assistant.

NOW, THEREFORE be it

RESOLVED, that the Town Board hereby approves the appointment of Sharon Merckel to the part-time position of Office Assistant at the Orchard Park Senior Center, at an hourly rate of $19.00 per hour, working 19 hours per week, with an effective start date of October 8, 2026.

The resolution was unanimously adopted.

New Business #8 Appoint a Laborer to the Parks and Grounds Department

14) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER HONER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER BENNETT, TO WIT:

WHEREAS, the Orchard Park, Parks and Grounds Department has a vacant laborer position; and

WHEREAS, there are funds in the 2026 budget to fund a laborer position; and

WHEREAS, Christopher Kuhnle, Director of Parks and Grounds, has determined that Michael Schott is ready and able to serve as a laborer in the Orchard Park, Parks and Grounds Department.

NOW, THEREFORE be it

RESOLVED, that based on the recommendation of Christopher Kuhnle, Director Of Parks And Grounds, Michael Schott is appointed as a full time laborer in the Orchard Park, Parks and Grounds Department as a Blue Collar Laborer at Step 1 of the Blue Collar Contract at a rate of $27.06 per hour effective October 13th, 2026.

The resolution was unanimously adopted.

New Business #9 Schedule a Public Hearing regarding proposed Local Laws relating to Littering, Trail Development and Electric Scooters and Bikes.

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

WHEREAS, the Town Board of the Town of Orchard Park is considering proposed amendments to the Town Code relating to Littering, Trail Development, and Electric Scooters and Bikes; and

WHEREAS, the Town Board desires to hold a public hearing to afford interested persons an opportunity to be heard concerning said proposed code updates.

NOW, THEREFORE be it

RESOLVED, that a public hearing shall be held by the Town Board of the Town of Orchard Park on the 4th day of November, 2026, at 7:00 P.M., at, 4295 S. Buffalo Street, Orchard Park, New York, on the question of the adoption of the proposed amendments to the Town Code relating to Littering, Trail Development, and Electric Scooters and Bikes; and be it further

RESOLVED, that the Town Clerk shall post copies of this resolution and the proposed code amendments, or a summary thereof, on the Town website and on the bulletin board maintained by the Town Clerk pursuant to Town Law, for a period of not less than five (5) days prior to said public hearing.

RESOLVED, that the Town Clerk is hereby authorized and directed to publish a notice of said public hearing in the official newspaper of the Town not less than five (5) days prior to the date thereof; and be it further

RESOLVED, that all persons interested in the subject matter thereof shall have an opportunity to be heard.

The resolution was unanimously adopted.

New Business #10 Approve a change of FEE schedule for Vacant Commercial Buildings.

16) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER BENNETT, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER MOMBREA, TO WIT:

WHEREAS, the Town of Orchard Park has observed an increase in vacant commercial properties that contribute to reduced economic activity, safety hazards, and diminished property values in surrounding areas; and

WHEREAS, a fee structure based on square footage of vacant commercial buildings will incentivize property owners to actively market, rehabilitate, or reoccupy these properties, thereby enhancing the vitality of the Town's commercial buildings; and

WHEREAS, the Town Board finds that such fees are a reasonable exercise of its authority to protect public health, safety, and welfare under New York Town Law and local zoning regulations.

NOW, THEREFORE, BE IT

RESOLVED by the Town Board of the Town of Orchard Park that:

1. **Definitions**
    - **Vacant Commercial Building**: Any commercial structure or portion thereof that has been unoccupied for 180 consecutive days or more, as determined by the Code Enforcement Officer through visual inspection, utility records, and/or other evidence.
    - **Gross Square Footage**: Total enclosed floor area measured from exterior walls, excluding parking and loading areas.
2. **Administration**

- The Code Enforcement Officer shall identify vacant commercial buildings through regular inspections and notify owners by certified mail with fee calculation and due date (July 1st annually).
- Owners may appeal to the Zoning Board of Appeals within 30 days, providing evidence that the property is actively marketed or undergoing permitted renovations.
- Fees are a lien on the property and may be added to tax bills if unpaid.

3. **Fee Structure** (effective 30 days from adoption):

Initial registration fee: $50.
Annual Vacant Building Fees:

Property Type	**Year 1**	**Year 2**	**Year 3**	**Each Subsequent Year After Year 3**
Commercial (The Greater Of:)	$2,000 or $0.15/Square Foot*	$4,000 or $0.25/Square Foot*	$6,000 or $0.30/Square Foot*	$8,000 or $0.40/Square Foot*

*Gross Square Footage
Late fee: Initial registration and/or annual vacant building fee: $250.
Administrative fee for unpaid charges added to the tax bill: $250.

4. **Exemptions**
   - Properties actively under permitted construction or major renovation.
   - Properties under contract of sale or lease with closing/occupancy expected within 90 days.
   - Owner-occupied buildings undergoing temporary vacancy for repairs (<180 days).
5. This resolution shall take effect 30 days after adoption.

The resolution was unanimously adopted.

New Business #11 Approve appointments to the Comprehensive Plan Implementation Committee.

17) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER BENNETT, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER HONER, TO WIT:

WHEREAS, the Town Comprehensive Plan was adopted on August 19, 2026. At its adoption the Town Board directed the formation of a Comprehensive Plan Implementation Committee.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby appoint the following persons to said committee:

Anna Worang-Zizzi, Director of Community Development
Joe Liberti, Town Supervisor
John Deluca, Planning Board Member
Bill Even, Town Clerk
Peter Lukasiewcz, Senior Engineering Assistant
Jordan Kellerman, Civil Engineer
Nicole Blum, Building and Zoning Clerk
Nancy Kenlon, Town Assessor

The resolution was unanimously adopted.

New Business #12 Schedule a Public Hearing and authorize the Supervisor to sign a letter of support for the 2027-2028 CBDG.

18) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER MOMBREA, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER BENNETT, TO WIT:

WHEREAS, in order to be eligible to continue to receive Community Development Block Grant funds through the Erie County CDBG Consortium, the Town of Orchard Park is required to conduct a public hearing to provide citizens the opportunity for input into the project selection process. Project applications are due on November 2nd, 2026; and

WHEREAS, a public hearing is required, regardless of whether the only project being submitted for is the Rural Van proposal. The Engineering Department will prepare an information packet which will describe the CDBG program, a list of previous HUD funded projects in our Town, and a list of potential projects to be considered for the 2027-2028 funding applications. Last year, the Town could not find a project that qualified, so the only application submitted for was the Rural Transit Van (Senior).

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby schedule a public hearing for Wednesday, October 21, 2026 at 7:00 PM on the possible use of 2027-2028 Community Development Block Grant Funds; and be it further

RESOLVED, that the Town Board does hereby authorize the Supervisor to sign a letter of support for the Rural Transit Van service, which operates an office at the Community Activity Center.

The resolution was unanimously adopted.

New Business #13 Authorize the Supervisor to sign agreement with Barron & Associates P.C. to provide professional services for specialized inspection and testing services.

19) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER MOMBREA, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER BENNETT, TO WIT:

WHEREAS, the Engineering Department is requesting the Town's approval of the increased consultant agreement with Barron & Associates, P.C., for their professional specialty inspection and concrete testing services, and

WHEREAS, during construction projects, the NYS Building Code requires specialty construction inspections and testing to be done to determine the strength of the concrete/compaction of the soil placed in the field. This is also required to be in compliance with design/site plan regulations. The initial agreement was approved by the Board on July 17, 2024, and was subsequently increased in the beginning of 2026. Barron & Associates, P.C. continue to be the most suitable option for the Town and have met all corresponding criteria in relation to providing these services.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby authorize the Supervisor to sign the consultant agreement with Barron & Associates, P.C, 10440 Main Street, Clarence, New York, 14031 to continue providing professional specialized inspection and testing services at the increased time and material rate detailed in the attached agreement as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #14 Authorize NYSEG to connect nine (9) L.E.D. Decorative Street Light fixtures for the NYSDOT constructed Armor Duells Road roundabout at Murphy Road and Duerr Road to the Consolidated Light District.

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

WHEREAS, per the tariff agreement between NYSEG and the Town, NYSEG has requested the Town submit a resolution reflecting the connection of nine (9) cobra head LED 80-watt streetlight fixtures at the new roundabout being constructed by the NYSDOT; and

WHEREAS, the LED 80-watt luminaires will be owned and maintained by the Town, including the poles, bulbs, and the electric eye of the luminaires. NYSEG will only provide the energy per the SC4 classification. The Town will purchase the electricity for an *estimated* cost of $43.76/each, with an approximate annual cost of $393.84 for these nine decorative light poles. The attached Streetlight Request Form will add the new LED lights to our existing SC4 classified account. Energy charges for these lights may vary due to the electric pricing trends between the summer and winter month rate fluctuations.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby authorize NYSEG to connect nine (9) LED 80-watt light fixtures along the new Armor Duells Road roundabout at Murphy & Duerr Road, at an estimated increased cost of $354.87 per year to the Consolidated Light District in accordance with the attached NYSEG proposal, dated September 29, 2026 as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #15 Approve the Budget Transfer within the Engineering Department 2026 Budget from Engineering GIS & Mapping to Engineering Inspector Training as submitted.

21) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER HONER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER BENNETT, TO WIT:

RESOLVED, that the Town Board does hereby authorize the following budget transfer within the 2026 Engineering Budget:

$ 500.00

From: Budget Code - A01440 50238
(Engineering GIS & Mapping)

To: Budget Code - A01440 50414
(Engineering Inspector Training)

The resolution was unanimously adopted.

New Business #16 Approve Excavation, Removal and Storage of Materials Permit #2026-01 for Providence Farm Collective, 5701 Burton Rd. Orchard Park for Construction of an Irrigation Pond.

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

WHEREAS, the Engineering Department has received from Providence Farm Collective an application for an Excavation, Removal, and Storage Permit to excavate an irrigation pond for this Farm Collective at 5701 Burton Road; Orchard Park, New York 14127; and

WHEREAS, the Engineering Department has reviewed the plans and have found them to be acceptable. All necessary fees have been paid.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby approve the application for the Excavation, Removal, and Storage Permit to excavate an irrigation pond for the Providence Farm Collective at 5701 Burton Road; Orchard Park, New York 14127 as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #17 Approve Excavation, Removal and Storage of Materials Permit #2026-02 for Jeremy William Bauer (7360 Milestrip Rd) and Bryce Bieler (7370 Milestrip Rd) for placement of excavated material for improving the yard grades for mowing and driveway access.

23) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER BENNETT, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER MOMBREA, TO WIT:

WHEREAS, the Engineering Department received from Jeremy William Bauer and Bryce Bieler an application for an Excavation, Removal, and Storage Permit to place fill in their front yards to improve drainage and access at 7360 and 7370 Milestrip Road, Orchard Park, New York 14127; and

WHEREAS, the Engineering Department has reviewed the plans and have found them to be acceptable. All necessary fees have been paid.

NOW, THEREFORE be it

RESOLVED, that the Town board does hereby approve the application for the Excavation, Removal, and Storage Permit (2026-02) to regrade the lawn areas of Jeremy William Bauer (7360 Milestrip Road, SBL #153.19-1-21) and Bryce Bieler (7370 Milestrip Road, SBL #153.19-1-20) of Orchard Park, New York, 14127 as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #18 Approve an appointment to the Orchard Park Recreation Department

24) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER HONER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER BENNETT, TO WIT:

RESOLVED, that the Town Board does hereby approve the following resident appointment to the 2026 part-time staff for the Orchard Park Recreation Department effective October 8, 2026 as recommended by the Recreation Director:

Claire Cipolla $17.25 Lifeguard

The resolution was unanimously adopted.

BUSINESS FROM THE FLOOR

Richard Walton spoke of his appreciation for the woman who drives handicapped people in her buggy/cart from parking lots to the Stadium on game days. He hopes her permit application is approved.

Jacquelyn Halliman of 3851 Sheldon spoke of the poor traffic pattern after Bills games.

Sharon Stillman of 79 Thorn inquired about the Orchard Park Fire District and their purchase of Kettle's bar & restaurant.

Bruce & Karen Crawford sent an email to the Town Clerk to be presented to the Town Board regarding their opposition to the enforcement of RV parking restrictions during the NFL season at the stadium.

ELECTED OFFICIALS & DEPARTMENT MANAGERS

Supervisor Joseph Liberti welcomed the newly hired employees. He also spoke of the Budget process and will be scheduling a Public Hearing for new Local Laws regarding Litter, Trails and E-Bikes and scooters for November 4, 2026.

Councilmember Scott Honer welcomed the new hires and thanked the residents for coming out to voice their concerns. He stated he will be visiting some sites that residents spoke of today, he also spoke of the Town Budget and Tax Cap.

Councilmember Julia Mombrea thanked the residents for coming in to express their concerns and that changes to the GMU will be posted on the Town's website. She also spoke of the Town's Budget process.

Councilmember Greg Bennett questioned the Town Engineer and the Highway Superintendent about drainage on Sheldon and Abbott.

Town Clerk William Even spoke of the Town Clerk newsletter and the Halloween in the Park events on October 17th in the Village of Orchard Park.

Town Engineer Wayne Bieler welcomed the new hires and responded to some questions from the residents. He stated the work on Dennis Road is wrapping up and a sidewalk study is being done for pedestrian walkability and safety in areas of the Town where we have a grant to install sidewalks.

Building Inspector Tom Minor stated there will be no violations on RV parking this year, only warning letters. He stated "No one is telling people they can't have an RV."

Highway Superintendent Andrew Slotman spoke of pavement assessments, vehicles needed in the Highway Department, finishing up construction season and he is interviewing for 2 open positions in his department.

Police Chief Brendon O'Hara responded to a resident regarding her questions on ingress and egress from the stadium. He also spoke of the food drive the Orchard Park Police Dispatch Department is holding until Thanksgiving and welcomed the new hires.

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

RESOLVED, that the Town Board does hereby authorize the approval of all entries on Warrant #19 following auditing by members of the Town Board and in the funds indicated:

General Fund	$130,718.91
Public Safety Fund	$12,913.41
Part Town Fund	$3,883.37
Risk Retention	-0-
Cemetery Fund	-0-
Highway Fund	$441,767.65
Special Districts	$272,504.48
Trust & Agency	$9,957.02
Capital Fund	$163,230.90

The resolution was unanimously adopted.

There being no further business, on a motion by Supervisor Liberti, seconded by Councilmember Mombrea, the meeting adjourned at 9:48 pm (local time).

Respectfully Submitted,

William C. Even
Town Clerk