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 4th day of November 2026 at 7:00 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
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 HONER, TO WIT:

RESOLVED, that the Town Board does hereby approve the Regular Meeting Minutes: October 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 HEARING
Preliminary Ad Valorem 2027 Budget & Benefit Basis Special District

At 7:03PM (local time) Supervisor Liberti called for the Public Hearing to hear all interested parties regarding the 2027 Preliminary Budget & Benefit Basis Special District.

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

Presentation was made by Nichole Ruf from Drescher Malecki regarding the 2027 Preliminary Budget & Benefit Basis Special District.

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

No one came forward to speak in favor of or against this Public Hearing.

2) 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 close the Public Hearing for the 2027 Preliminary Budget & Benefit Basis Special District.at 7:11PM.

The resolution was unanimously adopted.

PUBLIC HEARING
Local Law 06-2026 Trail Development Ordinance

At 7:11PM (local time) Supervisor Liberti called for the Public Hearing to hear all interested parties regarding the proposed Local Law regarding Trail Development Ordinance.

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

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

Mr. Howy Holmes came forward to speak in favor of Local Law 06-2026.

3) 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 Trail Development Ordinance at 7:14PM.

The resolution was unanimously adopted.

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

WHEREAS, the Town Board of the Town of Orchard Park recognizes that an interconnected system of publicly accessible trails, side paths, greenways, sidewalks, parks, and other non-motorized transportation facilities promotes public health, recreation, environmental stewardship, mobility, traffic-congestion reduction, and economic development; and

WHEREAS, the Town Board finds that securing planned trail corridors during the subdivision and land-development review process is an efficient and effective means of implementing the Town's adopted planning documents, including the Comprehensive Plan, Parks and Recreation Plan, Trail/Bikeway Plan, officially adopted maps, designated trail corridors, and Town of Orchard Park Design Standards; and

WHEREAS, the Town Board further finds that new residential, mixed-use, and land-development projects that create streets, create more than three new dwelling units, or subdivide land adjacent to public park or recreation land, may create opportunities and responsibilities to provide safe, convenient, accessible, durable, and environmentally sustainable trail connections; and

WHEREAS, the Town Board desires to establish clear standards governing trail planning, connectivity, public access, design, construction, inspection, ownership, maintenance, alternatives, modifications, and enforcement; and

WHEREAS, the Town Board has reviewed the proposed Article XIII, entitled "Trail Development in New Subdivisions Ordinance," consisting of Sections 121.72 through 121.100; and

WHEREAS, the Town Board has determined that adoption of Article XIII is in the best interests of the Town of Orchard Park and its residents.

NOW, THEREFORE, be it

RESOLVED, by the Town Board of the Town of Orchard Park this resolution shall take effect immediately upon its adoption. Subject to any filing, publication, referendum, environmental-review, and other procedural requirements imposed by applicable law.

WHEREAS, following due and timely notice, a public hearing relating to the matter of Local Law 06-2026 was conducted on November 4, 2026, at which time all interested parties were given an opportunity to speak.

NOW, THEREFORE, be it

RESOLVED, that the Town Board is hereby authorized to adopt Local Law 06-2026 which provides as follows:

121 ARTICLE XIII Trail Development
Applicability
121.72 Applicability
This ordinance applies to all residential, mixed-use, and land developments that:

- Create any new public or private street; or
- Create more than 3 new dwelling units; or
- Subdivide land adjacent to a public park or recreation land.

121.73 Exemptions
The Planning Board may grant a limited exemption where:

- The parcel is too small or constrained by topography or environmental features to reasonably accommodate a trail or public access; or
- A required trail segment would be unsafe or infeasible due to engineering, legal, or environmental constraints, and an alternative alignment or fee-in-lieu is approved.

Definitions
121.74 Definitions
For the purposes of this ordinance:

- "Trail" means a multi-use path intended primarily for non-motorized travel (such as walking and bicycling), with a minimum improved surface width as specified herein.
- "Side path" means a shared-use path parallel and adjacent to a roadway, separated by a buffer.
- "Greenway" means a linear open space including natural features and corridors that may incorporate trail facilities.
- "Designated trail corridor" means any existing or proposed trail alignment identified on the Town of Orchard Park's officially adopted plans or maps.
- "Developer" means any person or entity proposing subdivision or land development subject to municipal approval.
- "Planning Board" means Town of Orchard Park Planning Board

General Trail Requirement
121.75 Required Trails
Where a subdivision includes, is adjacent to, or provides logical connection to a designated trail corridor, the developer shall dedicate right-of-way and construct trail facilities consistent with this ordinance and the Town of Orchard Park's trail/bikeway plan.

121.76 Connectivity
Trails required under this ordinance shall:

- Connect to trails, sidewalks, parks, schools, and other community destinations located on or reasonably near the site.
- Provide continuous, direct routes through or around the subdivision, minimizing dead-ends.
- Be aligned to allow future connections to adjoining parcels.

121.77 Public Access
Required trails shall be publicly accessible, either through dedication of land to the Town of Orchard Park or through public access easements or public right-of-way recorded on the final plat.

Planning and Layout Standards

121.78 Consistency with Plans
Trail alignments shall be consistent with the Town's adopted plans including; comprehensive plan, parks and recreation plan, and trail/bikeway plan, and designated trail corridors, cross-sections and Town of Orchard Park Design Standards.
121.79 Alignment and Design Principles
Trail layout shall:

- Follow natural contours where feasible to minimize grading and erosion.
- Avoid sensitive environmental areas to the greatest extent practicable, including wetlands, steep slopes, and critical habitats.
- Provide reasonable sight distances and safe intersections with streets and driveways.
- Utilize side-hill construction and proper drainage where slopes exceed recommended thresholds.
- Adhere to Town of Orchard Park Trail Standards and Design Requirements.

121.80 Integration with Open Space
Trails should be located within required open space, greenways, or parkland where possible, and be coordinated with stormwater, utility, and conservation areas to maximize multi-functional use of land.

Design and Construction Standards

121.81 Design Professional
Trail plans shall be prepared or overseen by a qualified design professional (e.g., landscape architect or engineer licensed in the State of New York).
121.82 Width and Cross-Section
Unless otherwise specified by the Town's adopted standards:

- Shared use trails serving the public shall have a minimum paved or improved surface width of 8 feet.

121.83 Surface and Materials
Trail surface and materials shall be suitable for intended use and context, considering accessibility and maintenance, and may include asphalt, compacted stone, or other approved surfaces by-the Town of Orchard Park Engineering Department.
121.84 Grades and Drainage

- Proper drainage and erosion controls shall be designed and installed, including but not limited to ditches, culverts, and stabilization measures where needed.

121.85 Intersections and Crossings
Where trails intersect streets, driveways, or other trails:

- Sight distances shall be evaluated and maintained.
- Appropriate crosswalks, signage, markings, and, where warranted, traffic calming or crossing treatments shall be provided.

121.86 Structures
Trail related bridges, boardwalks, railings, retaining walls, and similar structures shall be designed to applicable engineering and safety standards and be suitable for expected loads and environmental conditions and Town adopted Standards.

Easements, Dedication, and Ownership

121.87 Trail Easements
Public trail easements shall:

- Be shown and labeled on preliminary and final subdivision plat plans and drawing sets.
- Include sufficient width to accommodate the trail, shoulders, maintenance access, and vegetation management.
- Grant the Town of Orchard Park the right to construct, maintain, repair, and regulate public use of the trail.

121.88 Dedication of Land
Where the Planning Board determines that dedication is appropriate, trail corridors and associated land may be dedicated as public right-of-way or parkland as a condition of subdivision approval.
121.89 Ownership and Maintenance
The Planning Board shall determine whether trails will be owned and maintained by the Town, a homeowners' association, or another approved entity, and such responsibilities shall be documented in recorded agreements.

Construction, Inspection, and Acceptance

121.90 Construction Timing
Trail construction shall be completed prior to issuance of final occupancy permits for the phase of the subdivision in which the trail is located, unless the governing body approves an alternative phasing plan and associated financial security.
121.91 Inspections
The ~~municipality~~ Town of Orchard Park Engineering Department or its designee shall have the right to inspect trail construction at reasonable stages, including subgrade, base, surface, and final completion.
121.92 Acceptance
Upon satisfactory completion and inspection, the municipality shall accept dedicated trails or easements for public use or approve final acceptance by a homeowners' association or other owner, as applicable.

Fee-in-Lieu and Alternatives

121.93 Fee-in-Lieu
Where physical construction of a trail segment is infeasible or not immediately warranted, the Town Board may, at its discretion, accept a fee-in-lieu of construction, to be deposited into a dedicated fund for trail acquisition, design, and construction.
121.94 Off-Site Improvements
In lieu of on-site trail construction, the Planning Board may allow or require the developer to construct or improve off-site trail segments that better achieve network connectivity and public benefit, subject to agreement.

Modifications

121.95 Modifications
The Planning Board may grant modifications to the specific standards of this ordinance where strict application would be unreasonable or cause undue hardship, provided that the overall intent to create a safe, connected, and functional trail network is preserved or enhanced.

Enforcement and Penalties

121.96 Enforcement and Penalties
Failure to construct required trail facilities, dedicate easements, or comply with approved plans shall constitute a violation of the subdivision and land development regulations and may result in withholding of permits, refusal of final plan approval, or other remedies as authorized by law.
121.97 Maintenance of privately owned trails

Where approved trails are owned privately, trails shall be kept clear of debris, and public access shall be maintained by the owner.

Severability and Effective Date

121.98 Severability and Effective Date

If any provision of this ordinance is held invalid, the remaining provisions shall remain in full force and effect. This ordinance shall take effect upon adoption according to law.

Town Clerk William Even called for a roll call vote:

Supervisor Liberti	Aye
Councilmember Mariano	Aye
Councilmember Mombrea	Aye
Councilmember Honer	Aye
Councilmember Bennett	Aye

The resolution was unanimously adopted.

PUBLIC HEARING
Local Law 07-2026 Updated Littering Ordinance

At 7:15PM (local time) Supervisor Liberti called for the Public Hearing to hear all interested parties regarding the proposed Local Law regarding Updated Littering Ordinance.

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

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

Mr. Howy Holmes came forward to speak in favor of Local 07-2026.

5) 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 close the Public Hearing for proposed Local Law Updated Littering Ordinance at 7:17PM.

The resolution was unanimously adopted.

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

WHEREAS, the accumulation of litter, debris, merchandise, and unauthorized signage in the public right-of-way creates visual blight, compromises pedestrian and vehicular safety. This act detracts from the overall cleanliness and quality of life within Orchard Park; and

WHEREAS, the Town Board desires to maintain clear, safe, and unobstructed public rights-of-way for the benefit of all residents and visitors; and

WHEREAS, it is deemed necessary to establish clear prohibitions and enforceable penalties to deter littering and the unauthorized posting of signs. Violations of this chapter shall be punishable by a maximum fine of $250 or by imprisonment for not more than 15 days, or both.

NOW, THEREFORE, be it

RESOLVED, the Town Board adopts this resolution to take effect immediately upon its adoption and publication as required by law.

WHEREAS, following due and timely notice, a public hearing relating to the matter of Local Law 07-2026 was conducted on November 4, 2026, at which time all interested parties were given an opportunity to speak.

NOW, THEREFORE, be it

RESOLVED, that the Town Board is hereby authorized to adopt Local Law 07-2026 which provides as follows:

Additions are underlined
Removals are noted with strikethrough

Chapter 83 Littering, posting of signs prohibited.

§ 83-1**Prohibited actions.**
~~No person shall throw or deposit any tin cans, bottles, refuse, garbage or filth of any kind in any street, highway or public place within the town, nor throw or deposit the same upon the banks of any creek, lake, sewer or drainage ditch within said town.~~

No person shall suffer to remain in or upon the public right of way any litter, goods, merchandise or other articles; nor shall any person place any straw, dirt, papers, garbage or other rubbish in or upon the same, nor place any sign, bulletin board or advertising device of any kind whatsoever in the right of way.

§ 83-2**Penalties for offenses.**
Violations of this chapter shall be punishable by a maximum fine of $250 or by imprisonment for not more than 15 days, or both.

Town Clerk William Even called for a roll call vote:

Supervisor Liberti	Aye
Councilmember Mariano	Aye
Councilmember Mombrea	Aye
Councilmember Honer	Aye
Councilmember Bennett	Aye

The resolution was unanimously adopted.

PUBLIC HEARING
Local Law 08-2026 E Bike Ordinance

At 7:17PM (local time) Supervisor Liberti called for the Public Hearing to hear all interested parties regarding the proposed Local Law E Bike Ordinance.

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

Mr. Howy Holmes came forward to speak in favor of Local Law 08-2026.
Nick Girbus came forward with questions about Local Law 08-2026.
Gary Ludwig came forward to speak in favor of Local Law 08-2026.

7) 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 close the Public Hearing for the proposed Local Law 08-2026 E Bike Ordinance at 7:19PM.

The resolution was unanimously adopted.

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

WHEREAS, the Town Board of Orchard Park finds that the operation of skateboards, electric scooters, motorized scooters, electric bicycles, and similar devices may pose hazards to operators, pedestrians, motorists, and the public when operated in an unsafe, negligent, careless, or otherwise unlawful manner; and

WHEREAS, the Town Board has determined that reasonable local regulations governing the operation, location, speed, parking, safety equipment, lighting, and enforcement of such devices are necessary to protect the public health, safety, and welfare of Town residents and visitors; and

WHEREAS, the Town Board desires to establish a new Chapter 135 of the Town Code, entitled "Skateboards, Electric Scooters, Motorized Scooters, and Electric Bicycles," to provide definitions, general operating rules, restrictions applicable to electric and motorized scooters, penalties for violations, and procedures for the seizure and safekeeping of devices used in violation of the chapter; and

WHEREAS, the proposed local law is intended to supplement, and shall be interpreted consistently with, applicable provisions of the New York State Vehicle and Traffic Law; and

WHEREAS, the Town Board has reviewed the proposed local law and has determined that its adoption is in the best interests of the Town of Orchard Park.
Any violation with fines are as follows, with administrative processing fee of $50 and a storage fee of $5 per day thereafter:

1. A fine of $50 for a first violation.
2. A fine of up to $100 for a second violation.
3. A fine of up to $250 for each subsequent violation.

NOW, THEREFORE, be it

RESOLVED, by the Town Board of the Town of Orchard Park, this resolution shall take effect immediately upon adoption. Except that Chapter 135 shall become effective upon filing of the local law in the Office of the Secretary of State.

WHEREAS, following due and timely notice, a public hearing relating to the matter of Local Law 08-2026 was conducted on November 4, 2026, at which time all interested parties were given an opportunity to speak.

NOW, THEREFORE, be it

RESOLVED, that the Town Board is hereby authorized to adopt Local Law 08-2026 which provides as follows:

CHAPTER 135: Skateboards, Electric Scooters, Motorized Scooters, and Electric Bicycles

§ 135-1: Purpose:
The purpose of this chapter is to protect the public health, safety and welfare because of the hazards to the public and the users of skateboards, electric scooters, motorized scooters, and electric bicycles. The Town Board finds that the regulations hereafter enacted are such that are reasonably necessary to accomplish these objectives.

§ 135-2: Definitions:
As used in this chapter, the following terms will have the meanings indicated:

SKATEBOARD: A board equipped with skate wheels or other similar wheels used for riding by standing thereon and propelling same by foot power. It shall include any device which is similar thereto and commonly used for play purposes.

ELECTRIC BICYCLE: Any bicycle as defined under New York State Vehicle and Traffic Law § 102-c, and more specifically, a bicycle which is not more than thirty-six inches wide; has an electric motor that is less than 750 watts; is equipped with operable pedals; and complies with the Consumer Product Safety Commission under 16 CFR 1512.1, et seq.

ELECTRIC SCOOTER: Any scooter as defined under New York State Vehicle and Traffic Law § 114-e as a device weighing less than 100 pounds; has handlebars; has a floorboard or a seat that the operator can stand or sit upon; has an electric motor; can be powered by the electric motor and/or human power; and has a maximum speed of 20 mph on a paved surface when powered solely by the electric motor.

HIGHWAY: Any public way as defined by New York State Vehicle and Traffic Law § 118.

LANE OF TRAFFIC: That portion of the paved surfaces of a highway or street normally and customarily used for vehicular traffic but excluding any marked bike path.

MOTORIZED SCOOTER: A skateboard or like device with two or more wheels and an upright steering mechanism attached to the front wheel or wheels, upon which a person or persons may ride propelled by other than muscular power, except that it shall not include an electrically driven mobility assistance device or wheelchair as those devices are defined in New York State Vehicle and Traffic Law § 130-a, nor shall it include any low-speed vehicle as defined by New York State Vehicle and Traffic Law § 121-f.

ONE-WHEEL SCOOTER: Any one-wheel device having any of the characteristics defined in “electric bicycle” or “electric scooter” or “motorized scooter”.

PARKING LOT: Those areas defined by New York State Vehicle and Traffic Law § 129-B.

SIDEWALK: Those areas defined by New York State Vehicle and Traffic Law § 144.

STREET: Those areas defined by New York State Vehicle and Traffic Law § 148.

§ 135-3: Electric Bicycles: Electric bicycles that meet the above requirements are further classified as follows:

A. "Class one bicycle with electric assist." A bicycle with electric assist having an electric motor that provides assistance only when the person operating the bicycle is pedaling, and that ceases to provide assistance when such bicycle reaches a speed of 20 mph;

B. "Class two bicycle with electric assist." A bicycle with electric assist having an electric motor that may be used exclusively to propel the bicycle, and that is not capable of providing assistance when such bicycle reaches a speed of 20 mph;

§ 135-4: General Rules:

A. Operators of electric scooters, motorized scooters, and electric bicycles must wear protective headgear and/or helmets at all times while operating such devices.

B. Operators of electric scooters, motorized scooters, and electric bicycles must be at least 16 years of age at the time of the operation of such devices anywhere on public land.

C. Electric scooters, motorized scooters and electric bicycles are not permitted at any time on any public sidewalk in the Town of Orchard Park.

D. Electric scooters, motorized scooters, and electric bicycles are not permitted at any time in the lane of traffic in the Town of Orchard Park when operated in a negligent or careless manner.

E. Motorized scooters and electric bicycles are prohibited from exceeding 15 mph while operating in the Town.

F. If operating after sunset, operators of electric scooters, motorized scooters, and electric bicycles must have lamps, lights and/or other reflective materials permanently affixed to the device which must be in full working order while the device is in operation.

G. Operators of electric scooters, motorized scooters, and electric bicycles must at all times have lamps, lights and/or other reflective materials permanently affixed to the device which must be in full working order while the device is in operation to operate as turn signals and brake lights.

H. Electric scooters, motorized scooters, and electric bicycles may not be parked on the public sidewalks unless appropriately placed within a bicycle rack that may be present. At no time may electric scooters, motorized scooters, and electric bicycles be parked in a manner that interfere with pedestrian use of a sidewalk.

I. Electric scooters, motorized scooters, and electric bicycles must yield the right-of-way to pedestrians at all times.

J. Electric scooters, motorized scooters, and electric bicycles may only ride single file when on public streets and highways.

K. Electric scooters, motorized scooters, and electric bicycles which have been modified to travel at speeds in excess of 20 miles per hour are strictly prohibited in the Town of Orchard Park and cannot operate on public highway.

§135-5: Motorized and electric scooters

Motorized and electric scooter operators, in addition to the provisions above:

A. May not carry more than one person at a time;

B. May not carry any package, bundle or article which prevents the operator from keeping at least one hand upon the handlebars or which obstructs his or her vision in any direction;

C. May only operate on highways with a posted speed limit of 30 mph or less, including non-interstate public highways, private roads open to motor vehicle traffic, and designated bicycle or in-line skate lanes, except otherwise provided;

D. May not operate an electric scooter in excess of 20 mph;

E. Motorized and electric scooter operators may not attach their scooter; or himself or herself, to any vehicle being operated upon a roadway. Moreover, vehicle operators may not permit any person to attach any motorized or electric scooter, or himself or herself, to such operator's vehicle in violation of this section.

§ 135-6: **Penalties for offenses**

A. Violations of this chapter shall be subject to a $50 fine for the first violation, up to $100 for a second violation, and up to $250 for each subsequent violation. In the event that the violator is less than 18 years old, a summons shall be issued to the parent and/or guardian. Any professional Law Enforcement agency can enforce this chapter and shall have the authority to seize any skateboard, electric scooter, motorized scooter, and electric bicycle used in violation of this chapter. The Chief of Police shall determine the period of time that the skateboard, electric scooter, motorized scooter and electric bicycle shall be held pending completion of the investigation and prosecution of any violators of this chapter until otherwise directed by order of a court of competent jurisdiction.

   No portion of this Chapter shall apply to Members of Law Enforcement, Emergency Medical Services Personnel or Firefighters while such individuals are engaged in the performance of their official duties.

B. Any electric scooter or bicycle with electric assist seized under the authority of this article shall be stored for safekeeping by the law enforcement agency affecting the seizure. That agency may assess an administrative processing fee of $50 and a storage fee of $5 per day thereafter. Storage fees may only be assessed for days on which claimants are able to reclaim property

EFFECTIVE DATE: This local law shall take effect upon filing in the Office of the Secretary of State.

Town Clerk William Even called for a roll call vote:

Supervisor Liberti	Aye
Councilmember Mariano	Aye
Councilmember Mombrea	Aye
Councilmember Honer	Aye
Councilmember Bennett	Aye

The resolution was unanimously adopted.

PUBLIC COMMENT ON OLD BUSINESS

No one came forward

Old Business #1 Approve a Street Tree Policy.
This item was removed from the agenda.

PUBLIC COMMENT ON NEW BUSINESS

No one came forward

New Business #1 Approve Amendments to the 2027 Ad Valorem and Tentative Benefit Basis Town Budget.

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

Ad Valorem Budget (General, Town Outside Village, and Highway Funds)

WHEREAS, officers and employees in charge of various administrative units of the government of the Town of Orchard Park have submitted estimates of revenues and expenditures for the fiscal year ending December 31, 2027, and

WHEREAS, the Town Supervisor, as the Town's Budget Officer, has caused a tentative ad valorem budget to be prepared, and the Town Clerk has presented such budget to this Town Board, and

WHEREAS, the Town Board has met and considered the preliminary budget for the year ending December 31, 2027, and a public meeting was conducted on November 4, 2026 as required by Section 108 of Town Law.

NOW, THEREFORE, be it

RESOLVED, that the preliminary budget is changed, altered and revised and as hereinafter set forth, for the fiscal year ending December 31, 2027.

Benefit Basis Budgets (Special Districts)

WHEREAS, the Town Supervisor, as the Town's Budget Officer, has caused a tentative benefit basis budget to be prepared and filed with the Town Clerk's Office, as provided by law, and

WHEREAS, the Town Board has met and considered the preliminary budget for the year ending December 31, 2027, and a public meeting was conducted on November 4, 2026 as required by Section 108 of Town Law.

NOW, THEREFORE, be it

RESOLVED, that the preliminary budget is changed, altered and revised and as hereinafter set forth, for the fiscal year ending December 31, 2027.

The resolution was unanimously adopted.

	Account	Account Code		Increase	Decrease	Tentative Budget	Adopted Budget
GENERAL FUND							
REV	Animal Control	PS0000	42304	60,000		-	60,000
EXP	Public Safety Dispatch - Training	PS3120	50145		19,338	19,338	-
EXP	Patrol Cars/Reserve	PS3120	50215		21,000	210,000	189,000
EXP	Other Equipment	PS3120	50200		2,500	25,000	22,500
EXP	Travel & Conference	PS3510	50413		750	750	-
EXP	Training	PS3510	50414		700	700	-
FB	Use of Reserved FB	n/a	n/a	400,000		-	400,000
FB	Use of Unrestricted FB	n/a	n/a		1,200,000	2,302,872	1,102,872
EXP	Councilmembers (4)	A01010	50100		2,419	99,151	96,732
EXP	Justices (2)	A01110	50100		2,777	113,846	111,069
EXP	Office Equipment	A01110	50200		50	500	450
EXP	Court Reporter	A01110	50449		2,700	2,700	-
EXP	Supervisor	A01220	50100		1,799	91,753	89,954
EXP	Office Equipment	A01220	50200		200	2,000	1,800
EXP	Budget Officer	A01340	50101		68	6,837	6,769
EXP	Clerical Personnel - PT	A01355	50104		17,707	17,707	-
EXP	Office Equipment	A01355	50200		800	8,000	7,200
EXP	Office Equipment	A01410	50200		620	6,200	5,580
EXP	Records Management Expense	A01410	50555		7,500	7,500	-
EXP	Engineer/Clerical	A01440	50106	14,750		699,876	714,626
EXP	Engineering Equipment	A01440	50200		44,000	75,000	31,000
EXP	GIS & Mapping	A01440	50238		250	2,500	2,250
EXP	Computer Technicians (Dept Mgr)	A01680	50102		6,707	143,372	136,665
EXP	IT Equipment	A01680	50200		18,600	218,426	199,826
EXP	Telephone	A01680	50420		3,800	91,080	87,280
EXP	Rental Copy Machines	A01680	50456		11,000	21,986	10,986
EXP	Software	A01680	50440		16,600	286,651	270,051
EXP	Laborers	A05010	50105	1,000		-	1,000
EXP	Equipment	A05010	50200		350	3,500	3,150
EXP	Equipment	A05132	50200		1,000	10,000	9,000
EXP	Office Equipment	A07020	50200		200	2,000	1,800
EXP	Equipment reserve	A07020	50200		500	5,000	4,500
EXP	Playground Equipment	A07020	50218		745	7,455	6,710
EXP	Milestrip Fields Equipment	A07111	50200		1,800	18,000	16,200
EXP	Machines, Mowers Etc.	A07110	50200		12,000	120,000	108,000
EXP	Lake Water Quality Maint.	A07110	50238		1,300	13,000	11,700
EXP	Supplies	A07110	50400	40,000		56,000	96,000
EXP	Other Expenses	A07310	50419		500	500	-
EXP	Equipment	A07610	50200		600	6,000	5,400
EXP	Equipment	A08760	50200		300	3,000	2,700
REV	Property tax levy	A00000	41001	594,571		10,025,483	10,620,054
HIGHWAY FUND							
REV	CHIPS Program	DB0000	43501	75,000		267,116	342,116
REV	Transfers In	DB0000	45031	300,000		-	300,000
EXP	Part-Time Laborer	DB5110	50104		25,000	25,000	-
EXP	Telephones (Cell)	DB5110	50420		5,000	8,600	3,600
EXP	Equipment Rental	DB5110	50456		10,000	40,000	30,000
EXP	Stone & Gravel & Road Oil	DB5110	50472		7,500	531,500	524,000
EXP	Culvert Pipe	DB5110	50474		5,000	10,000	5,000
EXP	Other Expenses	DB5130	50419		5,000	225,000	220,000
EXP	Fuel, Oil, Anti-Freeze, etc.	DB5140	50416		5,000	45,000	40,000

REV	Property tax levy		DB0000	41001				437,500				4,982,669		4,545,169
SPECIAL DISTRICTS														
EXP	Contracted Brush Pick-Up		SR8160	50405				45,000				300,000		255,000
REV	Property tax levy		SR0000	41001				45,000				3,074,523		3,029,523
														-
EXP	Equipment		SD8540	50200				150,000				300,000		150,000
FB	Use of Unrestricted FB		n/a	n/a		50,000						72,108		122,108
REV	Property tax levy		SD0000	41001				200,000				1,072,298		872,298
														-
EXP	Transfer to Capital Fund		WS9901	50904				100,000				125,000		25,000
REV	Transfers in		WS0000	45031		200,000						-		200,000
EXP	Telespection		G018008	50496				10,000				10,000		-
EXP	Special Repairs		G018008	50444				20,000				70,000		50,000
EXP	Allocated costs of operations		G0	50520				180,000				704,739		524,739
REV	Property tax levy		G0	41001				180,000				1,291,217		1,111,217
EXP	Allocated costs of operations		FX	50520				150,000				682,195		532,195
REV	Property tax levy		FX	41001				150,000				929,853		779,853

New Business #2 Approve the 2027 Ad Valorem and Tentative Benefit Basis Town Budget.

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

WHEREAS, officers and employees in charge of various administrative units of the government of the Town of Orchard Park have submitted estimates of revenues and expenditures for the fiscal year ending December 31, 2027, and

WHEREAS, the Town Supervisor, as the Town's Budget Officer, has caused a tentative ad valorem budget to be prepared, and the Town Clerk has presented such budget to this Town Board, and

WHEREAS, the Town Board has met and considered the preliminary budget for the year ending December 31, 2027, and a public meeting was conducted on November 4, 2026 as required by Section 108 of Town Law.

NOW, THEREFORE, be it

RESOLVED, that the preliminary budget, is hereby adopted as the annual ad valorem budget of the Town of Orchard Park for the fiscal year ending December 31, 2027.

Benefit Basis Budgets (Special Districts)

WHEREAS, the Town Supervisor, as the Town's Budget Officer, has caused a tentative benefit basis budget to be prepared and filed with the Town Clerk's Office, as provided by law, and

WHEREAS, the Town Board has met and considered the preliminary budget for the year ending December 31, 2027, and a public meeting was conducted on November 4, 2026 as required by Section 108 of Town Law.

NOW, THEREFORE, be it

RESOLVED, that the preliminary benefit basis budget, is hereby adopted as the annual benefit basis budget of the Town of Orchard Park for the fiscal year ending December 31, 2027.

The resolution was unanimously adopted.

New Business #3 Approve 2026 Stable Permits

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

RESOLVED, that the Town Board does hereby approve the following 2026 Stable Permits:

- Jaxon's Sky Equestrian Center LLC at 7613 Behm Rd, West Falls, NY 14170
- Willow View Equestrian at 7895 E Quaker Rd., Orchard Park, NY 14127

The resolution was unanimously adopted.

New Business #4 Authorize participation in the Erie County Municipal Community Solar Program.

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

WHEREAS, Erie County conducted a competitive procurement (RFP No. 2022-999-06) to establish a Community Solar Program for Erie County and other eligible public entities; and

WHEREAS, the Program provides municipalities with the opportunity to reduce electricity costs for eligible municipal electric accounts through community solar, without installing solar panels or changing electric utility service; and

WHEREAS, the Town Board recognizes the importance of reducing municipal operating costs while supporting clean energy initiatives that benefit the community; and

WHEREAS, the Town Board has determined that participation in the Erie County Municipal Community Solar Program is in the best interest of the Town of Orchard Park.

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Orchard Park hereby authorizes participation in the Erie County Municipal Community Solar Program; and be it further

RESOLVED, that the Town Supervisor is hereby authorized to execute subscriber agreements and other instruments necessary to implement the Town of Orchard Park's participation in the Program. This Resolution shall take effect immediately upon its adoption.

The resolution was unanimously adopted.

New Business #5 Appoint part-time Recreation Department staff.

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

RESOLVED, that the Town Board does hereby appoint Jessica Juliano as a Program Supervisor to the part-time 2026 staff for the Orchard Park Recreation Department effective December 1, 2026 with an hourly payrate of $16.75 as recommended by the Recreation Director.

The resolution was unanimously adopted.

New Business #6 Appoint a Public Safety Dispatcher.

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

WHEREAS, a vacancy exists in the position of Public Safety Dispatcher (Full-Time); and

WHEREAS, the Chief of Police has recommended the appointment of Sarah Reiter to fill said position.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby appoint Sarah Reiter to the position of Full Time-Public Safety Dispatcher, to be effective November 21, 2026, CSEA pay range 9 "Step A", contingent upon Erie County Civil Service approval, as recommended by the Chief of Police.

The resolution was unanimously adopted.

New Business #7 Authorize the supervisor to sign an agreement for professional design and construction inspection services.

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

WHEREAS, consultant assistance services are needed for the Henning Drive Bridge Replacement Project for the Town of Orchard Park to complete the design per NYS/Federal BridgeNY Program grant requirements, NYSDOT Design Procedure Manual (DPM) and appropriate sections of the Federal Aid Policy Guide (FAPG). The Initial Project Proposal for the NYSDOT BridgeNY Grant was awarded to the Town for the amount $1,927,368.00 and requires a match of 5%; and

WHEREAS, the Engineering Department solicited Requests for Qualifications (RFQ's) from 20 preapproved firms listed on the NYSDOT BridgeNY program for Region 5. Our department received 8 RFQ's and after review have chosen DiDonato Associates for the design and construction inspection services. The Engineering Department met with representatives of that firm to review contract language, refine the scope per grant requirements and discuss the roadway reconstruction, property acquisition, utility relocation, and stream bank armoring for erosion control that is required for this project. The Town will provide existing utility location files and drainage shed maps, and

WHEREAS, account DB016 Henning Drive Bridge Project was created by Town Board Resolution on May 7, 2025, which per accounting, will track all project costs incurred for 95% reimbursement with the BridgeNY Program. Accounting will be creating additional Capital Accounts (Numbers To Be Determined) for all the Townwide Drainage District Projects per the Stormwater Management & Drainage District Map, Plan & Report.

NOW THEREFORE, be it

RESOLVED, that the Town Board does hereby approve the transfer of $100,000.00 from Capital Account AD002 Bussendorfer Drainage to Capital Account DB016 Henning Drive Bridge Replacement Project, and be it further

RESOLVED, that the Town Board does hereby authorize the Supervisor to sign the agreement with DiDonato Associates, 689 Main Street, Buffalo, New York, 14203, to provide professional services for the Design and Construction Inspection of the Henning Drive Bridge Replacements Project per the BridgeNY Program in an amount not to exceed $478,246.00 as recommended by the Town Engineer.

The resolution was unanimously adopted.

New Business #8 Approve the Landscaping Escrow Transfer.

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

WHEREAS, the Town of Orchard Park has certain money held in escrow for landscaping associated with land development projects in the Town of Orchard Park, and

WHEREAS, the money held in escrow represents 50% of the value of the submitted Landscaping Value Estimation Form for each project, and

WHEREAS, the Town of Orchard Park would like to transfer the money held in escrow from 2006 to 2019 into the Tree Vegetation Account Number A000042188, and

WHEREAS, upon recommendation of the Town Attorney & applying Town Law Chapter § 144-44 C (1) (a) (2) hereby the Town Board approves the following.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby deem the landscape monies held in escrow from 2006 to 2019 forfeited, and directs the Town Clerk to transfer the landscape monies into the Tree Vegetation Account, Account Number A000042188.

The resolution was unanimously adopted.

BUSINESS FROM THE FLOOR

Bill Smith congratulated Councilmember Honer on his election and thanked John and crew for their help with drainage issues.
Howy Holmes congratulated Councilmember Honer on his election and questioned how he is replaced.
Patti Meckes congratulated Councilmember Honer on his election.
Kathy Griffin submitted an email opposing the 8% property tax increase.
Kara & Stephen Siulc submitted an email in favor of the 100% Disabled Veteran tax exemption.

ELECTED OFFICIALS & DEPARTMENT MANAGERS

Supervisor Joseph Liberti spoke of the process of filling the seat on the Town Board to replace Councilmember Honer. He welcomed the new hires, stated there will be no meeting next week due to the holiday and thanked the Board and the Managers for their input on the Budget Process. He informed all about the upcoming social events in Orchard Park. On November 7th there will be a Preschool Play Day and on November 21st the Community Activity Center is hosting a Family Fun Night.

Councilmember Scott Honer spoke of the replacement process for his seat on the Town Board. He also spoke of the serious issues regarding E-Bikes.

Councilmember Julia Mombrea informed students that the Town Code is on-line.

Councilmember John Mariano spoke of the recreation Departments part-time help, political signs, enforcement of E-Bike Law and welcomed Sara back.

Councilmember Greg Bennett congratulated Councilmember Honer on his election.

Town Clerk William Even congratulated Councilmember Honer on his election.

Town Attorney Tim Gallagher congratulated Councilmember Honer on his election.

Town Engineer Wayne Bieler congratulated Councilmember Honer on his election.

Building Inspector Tom Minor spoke of the enforcement procedure regarding the Littering Ordinance.

Highway Superintendent Andrew Slotman spoke of searching for a replacement process regarding two broken highway vehicles.

Police Chief Brendon O'Hara spoke of the new E-Bike law and congratulated the newly hired employees.

18) 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 #21 following auditing by members of the Town Board and in the funds indicated:

General Fund	$94,485.05
Public Safety Fund	$21,034.72
Part Town Fund	$1,878.98
Risk Retention	-0-
Cemetery Fund	-0-
Highway Fund	$197,810.55
Special Districts	$43,032.68
Trust & Agency	$32,904.77
Capital Fund	-0-

The resolution was unanimously adopted.

There being no further business, on a motion by Supervisor Liberti, seconded by Councilmember Honer, the meeting adjourned at 7:30 pm (local time).

Respectfully Submitted,

William C. Even
Town Clerk