

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 17th day of June 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
Excused 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 MARIANO, TO WIT:

RESOLVED, that the Town Board does hereby approve the Regular Meeting Minutes: June 3, 2026, and Special Session: June 10, 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 Authorize the release of escrow funds.

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

WHEREAS, the Town of Orchard Park established and maintained an escrow account in connection with certain landscape-related obligations; and

WHEREAS, on November 3, 2015, the Town Board authorized the release and payment of escrow funds in the amount of Forty-Five Thousand Eight Hundred Fifty-Five Dollars and Fifty Cents (\$45,855.50) to McGard, LLC; and

WHEREAS, through administrative oversight, the authorized payment was not processed and the funds have remained in the escrow account; and

WHEREAS, the Town Board has reviewed the matter and determined that the previously authorized payment remains valid and that the funds continue to be due and owing to McGard, LLC; and

WHEREAS, the Town Board desires to reaffirm its prior authorization and direct that the funds be released to satisfy the outstanding obligation.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Orchard Park hereby authorizes and directs the release and payment of escrow funds in the amount of \$45,855.50 to McGard, LLC, representing funds previously authorized for payment by the Town Board in 2015 but not disbursed due to administrative oversight; and be it further

RESOLVED, that the Town Supervisor, Town Clerk, and any other appropriate Town officials are hereby authorized and directed to take all actions necessary to effectuate the payment and to make any accounting entries required to properly document the disbursement of said funds.

The resolution was unanimously adopted.

On the question, Councilmember Honer inquired about the process of releasing escrow funds. Town Clerk William Even responded.

PUBLIC COMMENT ON NEW BUSINESS

No one came forward

New Business #1 Approve additions to the Standard Work Day Reporting for NYSLRS.

3) 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 add Town Supervisor Joseph Liberti, Town Clerk William C. Even, Councilmember Gregory Bennett and Deputy Town Attorney Maura Seibold to the standard workday and reporting solution for elected and appointed officials to the New York State and Local Employees Retirement System based on the record of activities maintained and submitted by the Town Clerk.

The resolution was unanimously adopted.

New Business #2 Approve a temporary suspension of Town Code §97-34.

4) 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 enacted Chapter 97 of the Town Code, entitled “Parks and Playgrounds,” which includes Article II, “Yates Park”; and

WHEREAS, Town Code §97-34 (“Firearms and fireworks restricted”) currently provides that no person shall fire or discharge any gun, air gun, pistol, firearm or slingshot, or any rocket, torpedo or other explosives, firecrackers or fireworks of any description, or carry or transport the same in Yates Park unless upon permission of the Town Board;

WHEREAS, the Town Board desires to authorize a specific, controlled municipally sponsored fireworks display at Yates Park on July 4, 2026, in the interest of promoting community activities and enjoyment of the park. The Firearms will remain in effect, only the fireworks are being temporarily suspended.

NOW, THEREFORE, be it

RESOLVED, by the Town Board of the Town of Orchard Park as follows:

1. **Temporary suspension of enforcement.**

Effective only on July 4, 2026, enforcement of Town Code §97-34, as it relates to the discharge of fireworks by the Town's licensed fireworks contractor, within Yates Park, is hereby suspended to the extent necessary to allow such activity as authorized in this Resolution.

2. **No amendment of Code; limited effect.**

This Resolution does not amend or repeal Town Code §97-34 or any other provision of Chapter 97, but merely suspends enforcement of §97-34 for the limited purpose, location, and time period described herein. All other provisions of Chapter 97 and all other Town laws and regulations remain in full force and effect.

3. **Effective date.**

This Resolution shall take effect immediately upon its adoption.

The resolution was unanimously adopted.

New Business #3 Approve a Budget Transfer.

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

WHEREAS, the Unified Court System notified the Town that courts cannot generate plea slips from the Courtroom Program and provide them to the ADA assigned to the court per the attachment; and

WHEREAS, these duties are currently being performed by the Town's part time clerk, whose salary is budgeted within the Town Justice Department (A01110); and

WHEREAS, these duties will be shifted to the Town Law department (A01420), where the part time clerk can perform these duties appropriately; and

WHEREAS, the Town would like to move the amount budgeted in the Town Justice Department Clerical Personnel – PT account to the Town Law Department Clerical Personnel – PT account.

NOW, THEREFORE, be it

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

From:

A01110-50104 Clerical Personnel – PT \$13,658

To:

A01420-50104 Clerical Personnel – PT \$13,658

The resolution was unanimously adopted.

New Business #4 Approve a Stable Permit.

6) 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 approve the 2026 Stable Permit for Skibbieren Farm at 5142 Bussendorfer Rd., Orchard Park, NY 14127.

The resolution was unanimously adopted.

New Business #5 Appoint a laborer to Orchard Park's Park and Grounds Department.

7) THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER HONER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER MARIANO, 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 Matthew Bush 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, Matthew Bush 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 June 22, 2026.

The resolution was unanimously adopted.

New Business #6 Change status from part-time to seasonal for two employees in the Maintenance Department.

8) 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 approve a change of status from part-time to Seasonal for Brody Stevens and Mark Young with a start date of June 17, 2026 during the Summer Recreation Programs upon the recommendation of the Maintenance Director.

The resolution was unanimously adopted.

New Business #7 Appoint part-time Seasonal Staff to the Orchard Park Recreation Department.

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

RESOLVED, that the Town Board is hereby authorized to approve the following residents' appointments to the 2026 part-time Seasonal staff for the Orchard Park Recreation Department retroactive to June 4, 2026 as recommended by the Recreation Director:

Oskar Doerflien	\$17.25 Lifeguard 1
Miles Januszkiewicz	\$16.75 Program Coordinator 1
John Kelley	\$17.25 Lifeguard 1
Josephine Patronik	\$17.25 Program Coordinator 2
Mia Popp	\$17.25 Program Coordinator 2

The resolution was unanimously adopted.

New Business #8 Approve a Block Party Permit

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

RESOLVED, that the Town Board is hereby authorized to approve a resident's request to blockade a portion of Timberlake for a block party on July 11, 2026.

The resolution was unanimously adopted.

New Business #9 Approve a vehicle transfer from the Building Inspector's Office to the Special District's Department.

11) This resolution was tabled.

New Business #10 Appoint a member to the Planning Board.

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

WHEREAS, a vacancy exists on the Planning Board due to an unexpired term; and

WHEREAS, the planning board desires to maintain a full complement of members on the Planning Board to ensure efficient municipal planning, and community development; and

WHEREAS, Bernadette Clabeaux has demonstrated the necessary qualifications on the Conservation Board, and commitment to public service required to serve the community in this capacity.

NOW, THEREFORE, BE IT

RESOLVED by the Governing Body that Bernadette Clabeaux is hereby appointed as a member of the Planning Board, and be it further

RESOLVED that this appointment shall take effect immediately, with the term of office official set to expire on December 31, 2027, and be it further

RESOLVED that a copy of this resolution be forwarded to the Planning Board.

The resolution was unanimously adopted.

New Business #11 Extend the appointment of the Deputy Town Attorney

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

WHEREAS, Maura Seibold is currently serving as Deputy Town Attorney for the Town of Orchard Park; and

WHEREAS, the Town Board wishes to extend her current appointment in that position through December 31, 2026;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Orchard Park hereby extends Maura's appointment as Deputy Town Attorney through December 31, 2026, subject to all applicable laws, terms, duties, and conditions of her current appointment, unless otherwise modified by further resolution of the Town Board; and be it further

RESOLVED, that this Resolution shall take effect immediately.

The resolution was unanimously adopted.

New Business #12 Approve the site plan and building permit for PB File #26-25, 3310 North Benzing Rd. (SBL# 152.13-3-25).

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

WHEREAS, the Town Board does hereby approve the following resolution upon the recommendation of the Planning Board from their June 11, 2026 meeting:

RESOLVED, with regard to PB File #26-25, 3310 North Benzing Road, located on the west side of North Benzing Road, development within the rear portion of a 3.39 +/- acre parcel, Zoned I-1. (SBL# 152.13-3-25). The Town Board approves the presented Site Plan, received 6/9/26 and authorizes a Building Permit, for construction of two (2) new 5,000 square foot warehouse buildings, based on the following conditions and stipulations:

1. All public notices have been filed.
2. This is an Unlisted Action, based on the submitted Short EAF and a Negative Declaration is made.
3. No additional lighting is planned. If additional lighting is added in the future, the Applicant is directed to return to the Planning Board.
4. No outside storage or display is permitted.
5. Any future dumpsters shall be screened, in accordance with Section 144-25 of the Town Code.
6. The Applicant is to provide the Town of Orchard Park Assessor with an "independent" appraisal for the completed project by a Certified Commercial Appraiser.
7. A GML 239n referral was submitted to the ECDEP on 2/26/26. Comments were received on 3/5/26. No recommendation was made.
8. The Site Plan dated 5/14/26 has been determined by the Building Inspector to be Compliant as presented.
9. Town Engineering approval was granted on 6/11/26.
10. A copy of the Variance granted by the State is submitted to the Orchard Park Planning Department.

The resolution was unanimously adopted.

New Business #13 Approve the site plan and building permit for PB File #10-26, 3392 North Benzing Rd. (SBL# 152.18-1-1).

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

WHEREAS, the Town Board does hereby approve the following resolution upon the recommendation of the Planning Board from their June 11, 2026 meeting:

RESOLVED, with regard to P. B. File #10-26, 3392 North Benzing Road, located on the West side of North Benzing Road, north of Amanda Lane, Zoned_B-1. (SBL# 152.18-1-1). The Town Board approves the presented Site Plan, received 6/10/26 and authorizes a Building Permit, for construction of a 10,000 square foot accessory building to store items for the maintenance of Quaker Crossing Plaza, based on the following conditions and stipulations:

1. All public notices have been filed.
2. This is an Unlisted Action, based on the Short EAF submitted 5/28/26, and a Negative Declaration is made.
3. The site lighting is limited to those fixtures and poles indicated on the approved Site Plan. Light fixtures shall have flat lenses and all lighting is to be directed downward and toward the site.
4. No outside storage or display is permitted.
5. Any future dumpsters shall be screened, in accordance with Section 144-25 of the Town Code.
6. The Landscaping Value Estimate of \$21,615.00 requires a Certified Check amounting to 50% of the total shall be deposited with the Town Clerk prior to receiving a Building Permit (\$10,807.50).
7. The Applicant is to provide the Town of Orchard Park Assessor with an “independent” appraisal for the completed project by a Certified Commercial Appraiser.
8. A GML 239n referral was submitted to the ECDEP on 5/28/26. Comments were received on 6/1/26. No recommendation was made.
9. The Site Plan dated 06/10/26 has been determined by the Building Inspector to be Compliant as presented.
10. Town Engineering approval was granted on 6/11/26.

The resolution was unanimously adopted.

BUSINESS FROM THE FLOOR

Mary Chase spoke of the petition submitted regarding Bieler Road speed humps. She asked for the board to evaluate the home addresses of the petitioners that signed it.

Julia Hora Doersam spoke of drainage problems on Cole Rd.

ELECTED OFFICIALS & DEPARTMENT MANAGERS

Supervisor Joseph Liberti welcomed the newly hired employees.

Councilmember Julia Mombrea stated there is no plan at this moment to remove the speed humps on Bieler Rd.

Councilmember John Mariano encouraged people to attend the Rotary Club’s Fishing Derby at Green Lake.

Town Engineer Wayne Bieler spoke of the grading done at 6095 Cole Rd.

16) 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 authorize the approval of all entries on Warrant #12 following auditing by members of the Town Board and in the funds indicated:

General Fund	\$81,793.80
Public Safety Fund	\$10,139.87
Part Town Fund	\$495.73
Risk Retention	-0-
Cemetery Fund	-0-
Highway Fund	\$42,166.02
Special Districts	\$281,921.04
Trust & Agency	\$60,438.74
Capital Fund	\$32,694.14

The resolution was unanimously adopted.

REPORTS

17) 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 receive and file the May 2026 Building Inspector's Monthly Report.

The resolution was unanimously adopted.

There being no further business, on a motion by Supervisor Liberti, seconded by Councilmember Mariano, the meeting adjourned at 7:31 pm (local time).

Respectfully Submitted,

William C. Even
Town Clerk