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 21st day of October 2026 at 7:10 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
Excused Brendon O'Hara	Chief of Police
Excused 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 BENNETT, TO WIT:

RESOLVED, that the Town Board does hereby approve the Regular Meeting Minutes: October 7, 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
2027-2028 Community Development Block Grant Funds

At 7:10PM (local time) Supervisor Liberti called for the Public Hearing to hear all interested parties regarding the 2027-2028 Community Block Development Grant.

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.

No one came forward.

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 2027-2028 Community Block Development Grant at 7:12PM.

The resolution was unanimously adopted.

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

WHEREAS, the October 21, 2026 public hearing on the use of 2027/2028 Erie County Community Development Block Grant (ECCDBG) program was discussed; and

WHEREAS, all proposed Community Development projects must be ranked in order of priority by the Town, and the Town has additionally been requested to submit a letter of support for Rural Transit Services.

NOW, THEREFORE be it,

RESOLVED, that the Town Board does hereby authorize the following resolutions:

- Authorize the Town Supervisor to sign, submit, and execute applications/contracts for the Erie County CDBG program with the following priority:
    - Priority 1.) Any reasonable proposal presented here, before the Town Board, that meets the necessary criteria of a CDBG-funded project and is agreed upon by a majority of the Board's members.
    - Priority 2.) Authorize the Town Supervisor to submit a letter of support for the Rural Transit Service — Van Program.

TOWN OF ORCHARD PARK
COMMUNITY DEVELOPMENT PROGRAM
Funding History as of October 2026

YEAR	ALLOTMENT	EXPENDED	BALANCE
1976	111,792.00	111,792.00	0.00
1977	111,792.00	111,792.00	0.00
1978	111,792.00	111,792.00	0.00
1979	111,792.00	111,792.00	0.00
1980	111,792.00	111,792.00	0.00
1981	111,792.00	111,792.00	0.00
1982	259,977.59	259,977.59	0.00
1983	58,448.49	58,448.49	0.00
1984	64,499.92	64,499.92	0.00
1985	50,852.00	50,852.00	0.00
1986	20,171.00	20,171.00	0.00
1987	0.00	0.00	0.00
1988	0.00	0.00	0.00
1989	23,357.00	23,357.00	0.00
1990	34,183.00	34,183.00	0.00
1991	90,000.00	90,000.00	0.00
1992	0.00	0.00	0.00
1993	150,630.00	150,630.00	0.00
1994	0.00	0.00	0.00
1995	0.00	0.00	0.00
1996	40,000.00	40,000.00	0.00
1997	0.00	0.00	0.00
1998	0.00	0.00	0.00
1999	135,000.00	135,000.00	0.00
2000	0.00	0.00	0.00
2001	0.00	0.00	0.00
2002	190,000.00	190,000.00	0.00
2003	0.00	0.00	0.00
2004	0.00	0.00	0.00
2005	90,000.00	90,000.00	0.00
2006	0.00	0.00	0.00
2007	0.00	0.00	0.00

2008	100,000.00	100,000.00	0.00
2009	0.00	0.00	0.00
2010	0.00	0.00	0.00
2011	200,000.00	200,000.00	0.00
2012	0.00	0.00	0.00
2013	0.00	0.00	0.00
2014	0.00	0.00	0.00
2015	100,000.00	100,000.00	0.00
2016	0.00	0.00	0.00
2017	150,000.00	150,000.00	0.00
2018	78,759.00	78,759.00	0.00
2019	0.00	0.00	0.00
2020	0.00	0.00	0.00
2021	0.00	0.00	0.00
2022	0.00	0.00	0.00
2023	0.00	0.00	0.00
2024	0.00	0.00	0.00
2025	40,746.08	40,746.08	0.00
2026	0.00	0.00	0.00
TOTAL GRANTS	2,547,376.08	2,547,376.08	0.00
1992 LOAN*	100,000.00	100,000.00	0.00
1995 LOAN**	450,000.00	450,000.00	0.00
TOTAL LOANS	**550,000.00**	**550,000.00**	**0.00**
GRAND TOTAL	*3,097,376.08*	*3,097,376.08*	*0.00*

* Loan repaid in 2005 ** Loan repaid in 2006

-Covid funds are excluded from this history sheet.

TOWN OF ORCHARD PARK

COMMUNITY DEVELOPMENT FUNDED PROJECTS

STATUS AS OF 10/5/2026

FUNDING YEAR	PROJECT	ALLOCATED	EXPENDED	BALANCE
1977 - 1980*	Administration	36,861.14	36,861.14	0
1978 - 1981**	Housing Rehabilitation	23,737.00	23,737.00	0
1976	Orchard Meadows Playground	37,264.00	37,264.00	0
1976, 1977	Poplar-Webster Drainage	159,320.00	159,320.00	0
1976, 1977	Union Road Waterline Ext.	11,208.68	11,208.68	0
1977 - 1979	Burmon Sanitary Sewer Rehabilitation	6,903.32	6,903.32	0
1978, 1979	Southwestern Blvd. Economic Dev. Waterline	166,852.23	166,852.23	0
1980	Velore Avenue Waterline	12,130.58	12,130.58	0
1980	Burmon Recreation Area	42,767.93	42,767.93	0
1977, 1979 -1983	Velore Avenue Rehabilitation	102,189.12	102,189.12	0
1981, 1982	Quaker Centre Industrial Park Phase 1	350,000.00	350,000.00	0
1985	Zoning Maps	464.05	464.05	0
1982 - 1984	Vistula Avenue Rehabilitation	140,465.67	140,465.67	0
1985	Planning / Construction Maps	867.77	867.77	0
1989	Hillside Income Survey (Hillside Ave. & NIA)	6,000.00	6,000.00	0
1985, 1986, 1989	Hillside Ave. Rehabilitation (Inc. 1st & 2nd St.)	175,209.51	175,209.51	0
1993	Senior Citizens Activity Center	90,630.00	90,630.00	0
1993	Lakeview Ave. Pavement Restoration	60,000.00	60,000.00	0
1996	O.P. Library Handicapped Accessibility	40,000.00	40,000.00	0
1996***	Rural Transit Service Program	--------	----------	-----
1999	Summit Avenue Reconstruction	90,000.00	90,000.00	0
1999	Boys & Girls Club Handicap Access	45,000.00	45,000.00	0
2002	Windom Ave. Reconstruction	90,000.00	90,000.00	0
2002	Burmon Recreation Area Improvements	40,000.00	40,000.00	0
2002	Senior Citizens Center Repairs	60,000.00	60,000.00	0

2005	Allen Street Reconstruction	90,000.00	90,000.00	0
2008	Oakwood Reconstruction	100,000.00	100,000.00	0
2011	Iroquois Drive Reconstruction	100,000.00	100,000.00	0
2011	Iroquois Drive Drainage	100,000.00	100,000.00	0
2015	Burmon Drive Sanitary Sewer Replacement	100,000.00	100,000.00	0
2017	Burmon Drive Road Reconstruction	150,000.00	150,000.00	0
2018	Burmon Drive Sidewalk Reconstruction	78,759.00	78,759.00	0
2021***	Rural Transit Service Program	---------	----------	----------
2025	Senior Center Updates	40,746.08	40,746.08	0
	TOTAL GRANTS	**$2,547,376.08**	**$2,547,376.08**	**$0.00**
1992	Breem Street Relocation (Loan)	100,000.00	100,000.00	0
1995	Orchard Park Commerce Center (Loan)	450,000.00	450,000.00	0
	TOTAL LOANS	**$550,000.00**	**$550,000.00**	**$0.00**
	GRAND TOTAL	**$3,097,376.08**	**$3,097,376.08**	**$0.00**

*Costs for administration of grant monies were reimbursed to the Town for years 1977-1980, but administration is now done entirely by Erie County.

**The Housing Rehabilitation Program was administered by the Town for years 1978-1981, but now the program is administered directly by Erie County.

***In 1996 the Town began participation in a transportation service with approval of an additional grant for $34,782 for the purchase of a handicap van. In 2021, the Town approved an additional grant for $30,000 for the purchase of a new van. These funds and additional funds used for annual operation and maintenance do not accrue to the Town. The program is administered by Erie County through a not for profit agency and therefore the amount of funding is not shown in this table.

-Covid funds are excluded from this project sheet.

2027 - 2028
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
PUBLIC HEARING
October 21, 2026

The Town of Orchard Park may be eligible to receive Community Development Block Grant (CDBG) funds from the U.S. Department of Housing and Urban Development (HUD) for the 2027 Program Year. The purpose of this public hearing is to provide an opportunity for citizens to discuss the needs of the community as outlined in the official notice *(page* 7).

The Town is one of 34 municipalities in the Erie County CDBG Consortium. Previously, the Consortium received a grant of approximately $3.1 million from HUD. The grant is divided into four spending categories: 27% for Community Projects; 27% for Housing; 27% for Economic Development; and 19% for Administration and Planning.

To be eligible for CDBG funding, a proposed project must satisfy one or more of the following national objectives:

I. - BENEFIT LOW AND MODERATE INCOME PERSONS
II. - CORRECT SLUMS AND BLIGHT
III.- MEET AN URGENT COMMUNITY NEED

These objectives are further described below.

I. BENEFIT LOW AND MODERATE INCOME PERSONS

Area Benefit: For a project to benefit low and moderate income persons, it is required that at least 40.34% of the residents of the specific area targeted be at or below the criteria of the Income Eligibility Schedule on *page* 4. Data from the 2020 American Community Survey (ACS) shows that there are 7,024 low and moderate income persons within the Town and 600 in the Village (Total = 7,624). This is nearly double the number of citizens identified by the same metrics in the 2010 U.S. Census.

For a specific area to qualify, an independent income survey must be performed for the targeted area.

Limited Clientele: All elderly, homeless, and handicapped residents are presumed eligible regardless of their location within the Town or their income levels. For a project to be considered under this category, at least 51% of the benefiting persons must be classified as limited clientele.

II. CORRECT SLUMS AND BLIGHT

For an area to be designated as a slum or blighted area, there must be a substantial number of deteriorated or deteriorating buildings or public improvements throughout the area. The project must address one or more of the conditions, which contributed to the deterioration of the area. Currently there are no such areas in the Town of Orchard Park.

III. MEET AN URGENT COMMUNITY NEED

To comply with the objective of meeting an urgent community need, the project must alleviate existing conditions that have developed or become critical within the past 18 months and:

- Pose a serious and immediate threat to the health and welfare of the community;
- The grantee is unable to finance; and
- Other resources of funds are not available.

ELIGIBLE ACTIVITIES

- Acquisition of Real Property for a Project
- Public Facilities and Improvements
- Public Services
- Removal of Architectural Barriers
- Historic Preservation
- Commercial or Industrial Rehabilitation
- Special Economic Development
- Program Administration Costs

Page 5 outlines the history of CDBG funding in the Town of Orchard Park. Since its inception in 1976, the Town has received over $3.0 million in grants and loans under this Federal program. *Page 6* lists the various projects for which the Town has utilized its block grant monies.

There is a maximum grant of $150,000.00 per project with a maximum of two projects funded per municipality. Applications for this year's Community Development Block Grant funds must be submitted by Monday, November 2, 2026.

Some suggested projects in the Town of Orchard Park which may qualify for funding in 2027 include:

PROJECT	ESTIMATE
CDBG - Rural Transit Service (participation in the existing program w/ 18 towns, 7 villages)	$ Cost Varies +/- (no matching funds required)

Last year the Town issued a letter of support for the Rural Transit Service Program. The Town will again submit an application/letter of support for funding to continue our participation in the Rural Transit Service Program.

This program provides van transportation for eligible citizens. Trips can be for any reason but are prioritized for medical and health concerns. As of 2026, Orchard Park had 201 registered users in this program.

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 Authorize Town Clerk to release the $2,800.00 held in escrow for the completion of lawn restoration for the Salt & Topsoil Building Storage Project to Cavalee Development Inc.

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

WHEREAS, on February 4, 2026, the Town Board approved the Final Change Order and Release of the Performance Bond for the project stated above, with the stipulation that an escrow be held in the amount of $2,800.00 until the lawn restoration reaches 90% stabilization. On Friday October 9, 2026, the inspection of the site determined that the lawn restoration area has reached 95%.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby authorize the Town Clerk to release, $2,800.00 for the lawn restoration at the Topsoil Barn Site, to Cavlee Development Inc. 5983 S. Transit Road, Lockport, New York 14094 as recommended by the Town Engineer.

The resolution was unanimously adopted.

Old Business # 2 Authorize the Town Clerk to release the $5,000.00 held in escrow under PIP #2024-04 for the completion of Decorative Street Lights work in the Quaker Lake Terrace Subdivision to PAL Enterprises LLC.

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

WHEREAS, on December 18, 2025, the Town Board accepted dedication of the public improvements constructed in the above referenced subdivision with the stipulation that funds paid by the developer be held in escrow until the energization of 5 light standards with fixtures were completed; and

WHEREAS, the developer has since completed the streetlight installations. The work 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 $5,000 held in escrow under PIP #2024-04 Quaker Lake Terrace Subdivision for completing the streetlight installations to PAL Enterprises, LLC, 3375 North Benzing Road, Orchard Park, New York 14127 as recommended by the Town Engineer.

The resolution was unanimously adopted.

PUBLIC COMMENT ON NEW BUSINESS

No one came forward

New Business #1 Schedule a Public Hearing for the 2027 Budget & Benefit Basis Special District.

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

RESOLVED, that the Town Board does hereby schedule a public hearing for Wednesday, November 4, 2026, at 7:00 PM regarding the 2027 Budget & Benefit Basis Special District at the Orchard Park Municipal Center; and be it further

RESOLVED, that the Town Clerk is hereby directed to publish due notice thereof.

The resolution was unanimously adopted.

New Business #2 Approve the Letter of Authorization form the Assessor.

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

WHEREAS, in accordance with New York State Law, Section 198, the Town Board had opted to enforce unpaid accounts for water, sewer, refuse and other unpaid Town services as indicated below, by placing a lien upon the real property for which such services were provided, and

WHEREAS, in light of the aforementioned, the Erie County Legislature shall levy in such sums as indicated below and against the applicable properties as provided for on the Town Assessor's master computer assessment roll file, which is also hereby being delivered by the Assessor with this letter of authorization:

Total Unpaid Water Erie County -	$ 287,017.02
Total Unpaid Water Orchard Park -	$ 33.19
Total Unpaid Refuse & Pro-Rated Garbage-	$ 11,531.17
Total Property Maintenance & Code Enforcement-	$ 210 + $ 42

Agricultural Penalties	$ -
Omitted Taxes	$ -

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Orchard Park, in accordance with New York State Law, Section 198, does hereby adopt all special charges as outlined on the "Letter of Authorization" as recommended by the Town Accountant.

The resolution was unanimously adopted.

New Business #3 Recognize and support the celebration of Global Ethics Day.

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

WHEREAS, ethical conduct is essential to building trust, strengthening communities, advancing fairness, and promoting responsible decision making in public life, business, education, health care, technology, and all other areas of society; and

WHEREAS, Global Ethics Day provides an opportunity for individuals and organizations around the world to reflect on the importance of ethics and to encourage integrity, accountability, respect, transparency, and compassion in daily actions and institutional practices; and

WHEREAS, the Town of Orchard Park recognizes that promoting ethical awareness and conduct helps safeguard the rights, well-being, and confidence of all members of its community; and

WHEREAS, Global Ethics Day will be celebrated on October 21, 2026, offering an important occasion to reaffirm our collective responsibility to act with integrity.

NOW, THEREFORE, be it

RESOLVED, that the Town of Orchard Park hereby recognizes and supports the celebration of Global Ethics Day on October 21, 2026.

The resolution was unanimously adopted.

New Business #4 Approve a Budget Transfer for the Highway Department.

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

WHEREAS, the Town of Orchard Park Highway Department needs additional road salt for the remainder of the 2026 calendar year; and

WHEREAS, the anticipated cost of the road salt purchases is estimated to be $275,000 ($100/price per ton) for approximately 2,500 to 3,000 tons; and

WHEREAS, the current appropriation balance in account DB5142.50400 is insufficient to cover the anticipated road salt expenditures for the remainder of 2026; and

WHEREAS, the Town has reviewed the available balances in accounts DB5110.50472 and DB5140.40416 to determine the funds available.

NOW, THEREFORE, be it

RESOLVED, that Town of Orchard Park hereby authorizes the following budget transfer for the 2026 budget:

Decrease Appropriations:

- DB5110.50472 – HW STONE, GRAVEL AND ROAD OIL — $200,000
- DB5140.40416 – BRUSH GAS, OIL, ANTIFREEZE — $75,000

Increase Appropriations:

- DB5142.50400 – SNOW SUPPLIES — $275,000

The resolution was unanimously adopted.

New Business #5 Approve a Budget Transfer for appropriation and account adjustments.

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

WHEREAS, the Town of Orchard Park performed budget monitoring as of August 31, 2026; and

WHEREAS, certain appropriation accounts were noted to need adjustments to allow for the appropriate spending of accounts; and

WHEREAS, the funding for these adjusted appropriations is available within other appropriation accounts in the Town's 2026 Budget.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the following transfers within the Town's 2026 Budget:

DECREASE		
Account Name	**Account Number** Org-Object	**Amount**
TOWN JUSTICE EQUIP REP & MAINT	A01110 50444	201.16
CENT SERV EQUIP REP & MAINT	A01670 50444	743.12
CELEBR PATRIOTIC OBSERVANCES	A07550 50534	7,500.00
PLANNING TRAINING	B08020 50414	74.71
SP DISTS PROTECTIVE CLOTHING	WS8346 50463	60.14
PARKS SAL NONUNION HRLY PT	A07110 50105	13,901.24
PARKS SAL NONUNION HRLY PT	A07110 50105	5,332.70
TOTAL DECREASE:		$ 27,813.07

INCREASE		
Account Name	**Account Number** Org-Object	**Amount**
TOWN JUSTICE EQUIPMENT	A01110-50200	201.16
CENT SERV WATER	A01670 50423	743.12
MUSIC FESTIVAL	A07550 50533	7,500.00
PARKS EQUIPMENT & MAINTENANCE	A07110-50444	13,901.24
PARKS TRAIL MAINTENANCE	A07110-50539	5,332.70
PLANNING PUBLISHING	B08020-50450	74.71
SP DISTS LAND & PROP REPAIRS	WS8346 50529	60.14
TOTAL INCREASE:		$ 27,813.07

The resolution was unanimously adopted.

New Business #6 Approve Budget Amendment within the Town's 2026 Budget.

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

WHEREAS, the Town of Orchard Park performed budget monitoring as of August 31, 2026; and

WHEREAS, certain appropriation accounts were noted to need adjustments to allow for the appropriate spending of accounts; and

WHEREAS, the funding for these appropriations is available within excess related revenue received and fund balance.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the following amendments within the Town's 2026 Budget:

INCREASE		
Account Name	**Account Number** Org-Object	**Amount**
HIST CELEBRATION	A07520-50540	10,000.00
TOWN JUSTICE OTHER CONT EXPS	A01110 50419	17,826.65
REC TRANSPORTATION	A07020 50556	3,564.27
TOTAL INCREASE:		$ 31,390.92

INCREASE		
Account Name	**Account Number** Org-Object	**Amount**
STATE AID	A00000-43000	10,000.00
GF Federal Aid	A00000-44000	7,000.00
GF State Aid - Court Assist Grant	A00000-43330	10,826.65
STATE AID	A00000-43000	3,564.27
TOTAL INCREASE:		$ 31,390.92

The resolution was unanimously adopted.

New Business #7 Approve the Budget Transfer within the Engineering Department in the 2026 Budget from Engineering Equipment to Unform Allowance.

12) 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 authorize the following budget transfer within the 2026 Engineering Budget:

$ 500.00

From: Budget Code - A01440 50200 (Engineering Equipment)

To: Budget Code - A01440 50407 (Uniform Allowance)

The resolution was unanimously adopted.

New Business #8 Approve a Site Plan and Building Permit for 6565 Webster Rd. (SBL# 162.09-1-46 & # 162.09-1-44)

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

RESOLVED, that the Town Board does hereby approve the following resolution upon the recommendation of the Planning Board from their July 9, 2026 meeting:

RESOLVED, with regard to PB File # 04-26, 6565 Webster Road, Bertsch Family Nature Trust (SBL # 162.09-1-46 & # 162.09-1-44), The Town Board approves the presented Site Plan received 6/30/26 and authorize a Building Permit, for construction of a Service Garage building of approximately 1,600 +/- square feet, including a restroom, to house maintenance equipment, based on the following conditions and stipulations:

1. All public notices have been filed.
2. This is a Type II Action, and no SEQR review is required.
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 6/4/26. Comments were received on 6/4/26. No recommendation was made. Comments were received by Erie County DSM on 6/24/26.
8. The Site Plan dated has been determined by the Building Inspector to be Compliant as presented.
9. This project is contingent on Town Engineering approval. *
10. Any significant changes to the Plan will be referred back to the Planning Board for further review and potential approval.

*Town Engineering approval was granted on 10/14/26.

The resolution was unanimously adopted.

New Business #9 Approve the Street Tree Policy.

14) This resolution was tabled.

New Business #10 Release the Landscape deposit for 400 Sterling Drive.

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

WHEREAS, a Landscape Deposit was made for 400 Sterling Drive on 9/14/22 by Silver Lake Financial Group in the amount of $10,110, and a Landscape Compliance form was submitted dated 7/19/23. A Landscape Security Release form was submitted on October 8, 2026.

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby release the landscape deposit in the amount of $10,110 to Silver Lake Financial Group.

The resolution was unanimously adopted.

New Business #11 Approve a Site Plan and Building Permit for 2783 Southwestern Blvd. (SBL# 153.07-1-3)

16) 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 resolution upon the recommendation of the Planning Board from their October 8, 2026 meeting:

RESOLVED, with regard to PB File #12-26, 2783 Southwestern Boulevard, (Route 20 Ice Cream), located on the south side of Southwestern Boulevard, west of Angle Road, Zoned B-2, SBL #153.07-1-3, The Town Board approve**s** the presented Site Plan, received 09/25/26 and authorize a Building Permit for the parking lot expansion of 31 parking spaces, located west of the existing development, 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 9/22/26, and a Negative Declaration is recommended.
3. No Site lighting is proposed. Should site lighting be 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 (meaning all completed phases) by a Certified Commercial Appraiser.
7. A GML 239n referral was submitted to the ECDEP on 9/22/26. Comments were received on 9/30/26. No recommendation was made.
8. The Site Plan dated 09/25/26 has been determined by the Building Inspector to be Compliant as presented.
9. Engineering Approval was granted on 10/6/26.

The resolution was unanimously adopted.

New Business #12 Approve a Site Plan and Building Permit for 2784 Southwestern Blvd. (SBL# 153.06-1-22)

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

RESOLVED, that the Town Board does hereby approve the following resolution upon the recommendation of the Planning Board from their October 8, 2026 meeting:

RESOLVED, with regard to PB File # 01-25, 2784 Southwestern Boulevard, "Illuminate Health and Wellness," located west of the angled intersection of Southwestern Boulevard and Reserve Road, north of Southwestern Boulevard and south of Reserve Road, Zoned B-2, SBL #153.06-1-22. The Town Board approve**s** the presented amended Site Plan received 9/1/2026 and authorize a Building Permit for a parking expansion totaling 11 spaces (reduced from the originally approved 19 spaces) and a minor building expansion, 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 2/02/25, and a Negative Declaration was made 10/8/26.
3. No additional site lighting is proposed. Should site lighting be 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 (meaning all completed phases) by a Certified Commercial Appraiser.

7. A setback variance is required for a wheelchair ramp. The applicant will either apply for and receive a variance or submit a building plan with a compliant wheelchair ramp prior to a certificate of occupancy being issued.
8. Engineering Approval was granted on 10/7/26.
9. An amended Landscape Plan, received 09/01/26, is hereby approved with greater than 20% Green Space, and the Landscaping Estimate Value remains the same. In accordance with Section 144-44(C)(1)(a)(2), a Certified Check amounting to 50% of the $19,290.00 Landscaping Estimate Value shall be deposited with the Town Clerk, ($9,645.00).

The resolution was unanimously adopted.

New Business #13 Adopt the Schedule of Parking Violation Fines and an additional penalty for failure to pay or contest a parking ticket.

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

WHEREAS, the Town Board of the Town of Orchard Park adopted Local Law No. 02-2026, amending Chapter 131 of the Code of the Town of Orchard Park concerning parking violations, tickets, penalties, and enforcement; and

WHEREAS, Local Law No. 02-2026 provides for the Town Board to adopt by resolution a schedule of fines and surcharges for parking violations under Chapter 131; and

WHEREAS, the Town Board seeks to establish consistent fines for ordinary parking violations occurring within the Town of Orchard Park outside the incorporated Village of Orchard Park; and

WHEREAS, Local Law No. 02-2026 generally requires payment of, or a timely contest to, a parking ticket within ten (10) calendar days after issuance or mailing, unless otherwise provided by law.

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Orchard Park hereby adopts the attached "Schedule A —Parking Violations," establishing the base fines for the specified violations of Chapter 131; and be it further

RESOLVED, that a person who fails to pay or contest a parking ticket within ten (10) calendar days after its issuance or mailing shall be assessed an additional penalty of twenty-five dollars ($25.00), in addition to the applicable base fine, subject to applicable law; and be it further

RESOLVED, that this schedule applies only to the Chapter 131 violations specified in Schedule A and does not establish fines for separate New York State Vehicle and Traffic Law offenses; and be it further

RESOLVED, that legally required surcharges and separately authorized towing, storage, removal, or immobilization charges may be assessed where applicable; and be it further

RESOLVED, that this resolution and the attached Schedule A shall take effect on October 21, 2026, and shall apply to tickets issued on or after that date.

TOWN OF ORCHARD PARK

SCHEDULE A — PARKING VIOLATIONS

Applicable to the specified Chapter 131 violations within the Town of Orchard Park, outside the incorporated Village of Orchard Park.

Town Code	Violation	Base Fine

§ 131-8(B)	Parking in a designated and posted no-parking zone	$50
§ 131-9(B)	Exceeding a posted parking time limit	$50
§ 131-9(C)	Seasonal overnight parking, 1:00 a.m.-7:00 a.m., November 1— April 1	$50
§ 131-10(B)	Parking in a marked loading zone other than for loading or unloading	$75
§ 131-11(C)	Parking in a designated and marked bus stop by a vehicle other than a bus	$75
§ 131-11(C)	Parking in a designated and marked taxicab stand by a vehicle other than a taxicab	$75
§ 131-13	Parking or standing in an appropriately marked fire lane	$100

ADDITIONAL PENALTY FOR FAILURE TO PAY OR CONTEST

A parking ticket must be paid or contested within ten (10) calendar days after the date of issuance or mailing, unless otherwise provided by law. Failure to pay or contest within that period shall result in an additional twenty-five-dollar ($25.00) penalty added to the base fine. No such additional penalty shall be imposed on a ticket timely contested before the Town Justice Court.

Base Fine	Additional Penalty	Total Due
$50	$25	$75
$75	$25	$100
$100	$25	$125

APPLICATION AND LIMITATIONS

This schedule does not set fines for separate New York State Vehicle and Traffic Law offenses, including driveway, sidewalk, crosswalk, fire-hydrant, and accessible-parking violations. Such offenses remain subject to applicable law.

Section 131-12 concerns emergency traffic-direction authority and is not assigned a separate parking fine. Towing and storage charges under § 131-9(D), and other legally authorized charges, are separate from the base fines above. Only legally required surcharges and separately authorized costs may be added. The Town Justice Court retains its lawful authority over ticket dispositions.

The resolution was unanimously adopted.

On the question: Councilmember Honer asked what is changing regarding this resolution. Supervisor Liberti, Town Attorney Tim Gallagher and Councilmember Mariano responded.

BUSINESS FROM THE FLOOR

Tracy Boyle spoke of transporting handicapped residents during stadium events.

Dave Boyle spoke in favor of Tracy Boyle transporting handicapped residents during stadium events.

Town Clerk William Even stated his department received a letter of support regarding the GMU rezoning from Jason Detlor from Change Buffalo PAC.

ELECTED OFFICIALS & DEPARTMENT MANAGERS

Supervisor Joseph Liberti stated there will be four (4) Public Hearings on November 4, 2026 and spoke of potential savings with the County.

Councilmember Scott Honer spoke of working through the Budget with the help of Department Managers.

Councilmember John Mariano responded to Tracy Boyle's questions about stadium transportation for handicapped residents.

Town Clerk William Even thanked everyone who helped with the Halloween event this past Saturday. He also spoke of the Emergency Alert System that the Town is developing.

Town Engineer Wayne Bieler stated the work on Dennis Rd. is wrapping up.

19) 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 authorize the approval of all entries on Warrant #20 following auditing by members of the Town Board and in the funds indicated:

General Fund	$62,546.58
Public Safety Fund	$8,406.71
Part Town Fund	$1,741.50
Risk Retention	-0-
Cemetery Fund	-0-
Highway Fund	$62,447.95
Special Districts	$164,268.57
Trust & Agency	$5,622.72
Capital Fund	-0-

The resolution was unanimously adopted.

REPORTS

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

RESOLVED, that the Town Board does hereby receive and file the September 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 Bennett, the meeting adjourned at 7:37 pm (local time).

Respectfully Submitted,

William C. Even
Town Clerk