



TOWN OF ORCHARD PARK

ENGINEERING DEPARTMENT

S 4295 South Buffalo Street Orchard Park, New York 14127-2609

Phone: (716) 662-6425
Email: bielerw@orchardparkny.gov

TOWN ENGINEER
WAYNE L. BIELER, P.E., CFM

August 28, 2026

Honorable Town Board
Town of Orchard Park
4295 South Buffalo Street
Orchard Park, NY 14127

**Re: Release of Escrow - Fine grade, Topsoil, and
Hydroseed all areas of disturbance
Smokes Creek Farm Subdivision 22-Sublot; PIP #2021-01**

Dear Board Members:

On December 15, 2021, 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 fine grading of all areas of disturbance were completed in order to eliminate ponding water and finish backing up the gutters with topsoil and hydroseed.

The contractor has since completed the grading work on Edgewood Court, as well as the Town Detention Properties. The work was inspected by both the Building and Engineering Department and found to be in compliance with Town specifications.

I, therefore, recommend that you authorize the Town Clerk to release to Thomas Johnson Land Development, LLC, located at 6435 West Quaker Street, Orchard Park, New York 14127, the \$15,000.00 held in escrow for fine grading all areas of disturbance to eliminate ponding water and finish backing up the gutters with topsoil and hydroseed in the Smokes Creek Farm Subdivision 22-Sublot, PIP #2021-01.

Respectfully Submitted,

Wayne L. Bieler, P.E., CFM
Town Engineer

Cc: William Evan, Town Clerk

File: 2007.32.3

RESOLVED, that the Town Board is hereby authorized to approve the following residents' appointments to the 2026 part-time staff for the Orchard Park Recreation Department retroactive to August 18, 2026 as recommended by the Recreation Director:

Faris Barakat	\$16.75 Program Coordinator 1
Reece Coyle	\$16.75 Program Coordinator 1
Maxwell Dever	\$16.75 Program Coordinator 1
Petra Dobson	\$17.25 Lifeguard 1 st year
Benjamin Gardner	\$16.75 Program Coordinator 1
Andie Homer	\$16.75 Program Coordinator 1
Regan Kerl	\$16.75 Program Coordinator 1
Gina Todero	\$16.75 Program Coordinator 1
Ryan O'Neil	\$16.75 Program Coordinator 1
Victoria Plandowski	\$16.75 Program Coordinator 1
Jonathan Pugliese	\$16.75 Program Coordinator 1
Courtney Schaefer	\$18.00 Supervisor *
Claire Sobol	\$16.75 Program Coordinator 1
Melissa Reed	\$16.75 Program Coordinator 1
Joyclyn Vasquez	\$16.75 Program Coordinator 1

Authorizing the Change in job classification for Olivia Jurek from part-time IT employee to seasonal IT employee

WHEREAS, the Town of Orchard Park requires additional assistance in the Information Technology Department to meet workload demands; and

WHEREAS, Olivia Jurek is currently employed as a part-time employee in the Information Technology Department; and

WHEREAS, funds for this position are available in the 2026 IT Budget;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Orchard Park hereby authorizes the change in job classification of Olivia Jurek from part-time IT employee to seasonal IT employee in the Information Technology Department effective September 7, 2026

Appoint Court Clerk

WHEREAS, the Town of Orchard Park Courts have a need for temporary seasonal assistance to support court operations; and

WHEREAS, Erika Redding has been identified as a suitable candidate for temporary seasonal employment with the Town of Orchard Park Courts; and

WHEREAS, such employment is temporary and seasonal in nature and shall be subject to all applicable Town policies, procedures, and budgetary requirements.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Orchard Park hereby authorizes the temporary seasonal employment of Erika Rettig with the Town of Orchard Park Courts, effective August 4, 2026, at an hourly rate of \$27.00 per hour, subject to applicable payroll requirements and employment policies.

Police Officer Luke Bullard appointment

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

WHEREAS, the Chief of Police has conducted a review of the candidate's qualifications and background and has recommended the appointment of Luke Bullard to the position of Police Officer.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby approve the appointment of Luke Bullard to the position of Police Officer, (Permanent—Transfer) effective September 18th, 2026, at step 2 of the Orchard Park Police Benevolent Association, Inc. current collective bargaining agreement, contingent upon Erie County Civil Service approval, as recommended by the Chief of Police.

Public Safety Dispatcher Savanna Baughman

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

WHEREAS, the Chief of Police has recommended the appointment of Savanna Baughman to fill said position; and

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board does hereby appoint Savanna Baughman to the position of Full Time-Public Safety Dispatcher, to be effective September 5th, 2026, CSEA pay range 9 Step "A", contingent upon Erie County Civil Service approval, as recommended by the Chief of Police.

16000

**Schedule a Public Hearing for Proposed Local Law regarding the
Over-Ride Tax Levy limit established in General Municipal Law Sec
3-c**

RESOLVED, that the Orchard Park Town Board does hereby schedule a Public Hearing regarding the adoption of a proposed Local Law “Override the Tax Levy Limit established in General Municipal Law Sec 3-c” on September 16, 2026, at 7:00pm at the Orchard Park Municipal Center; and be it further

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

PUBLIC NOTICE

PLEASE TAKE NOTICE that a Public Hearing will be held by the Town Board of the Town of Orchard Park, on Wednesday, September 16 at 7:00 PM (local time) at the Orchard Park Municipal Center, S4295 South Buffalo Street, Orchard Park New York 14127, regarding a proposed **Local Law** for the Year 2026. This local law provides as follows:

Town of Orchard Park to over-ride tax levy limit established in General Municipal Law **Sec 3-c** as follows

SECTION 1: Legislative Intent

It is the intent of this local law to allow the Town of Orchard Park to adopt a budget for the fiscal year commencing January 1, 2026 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal **Law Sec 3-c**.

SECTION 2: Authority

This local law is adopted pursuant to subdivision 5 of the General Municipal **Law Sec 3-c**, which expressly authorizes a local government's governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

SECTION 3: Tax Levy Limit Override

The Town Board of the Town of Orchard Park, County of Erie, is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2026 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal **Law Sec 3-c**.

SECTION 4: Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgement shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstances, directly involved in the controversy in which such judgment or order shall be rendered.

RESOLVED, that the Town Board does hereby schedule a Public Hearing in the matter of the proposed **Local Law** "Override the Tax Levy Limit established in general Municipal Law Sec 3-c" on September 16, 2026 at 7:00pm at the Orchard Park Municipal Center.

Resolution for Budget Amendment – Connecting Kids to Parks Grant

WHEREAS, the Recreation Transportation A0-7020-50556 account exceed the budgeted amount due to increased gasoline prices; and

WHEREAS, the Town of Orchard Park received transportation grants totaling \$3,564.27 from Connecting Kids to Parks Grants; and

NOW, THEREFORE, be it

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

Increase Appropriations:

A0-7020-50556 Recreation Transportation	\$3,564.27
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Increase Revenue:

A0-0000-43000 State Aid	\$3,564.27
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Resolution for Budget Amendment – CAC Donations

WHEREAS, the Town of Orchard Park purchased fitness room equipment for the Community Activity Center (35lb, 40lb & 50lb dumbbells and a set of resistance bands); and

WHEREAS, the Town of Orchard Park received donations totaling \$228.96 for the mentioned fitness equipment.

NOW, THEREFORE, be it

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

Increase Appropriations:

A0-7180-50419 Other contractual expenses	\$228.96
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Increase Revenue:

A0-0000-42706 CAC donations	\$228.96
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Howl-O-Weenie 5K

RESOLVED, that the Town Board does hereby approve the Special Event Permit request for the Howl-O-Weenie 5K Run to be held on Saturday October 17, 2026 from 11AM – 1:30PM pending all fees have been paid and insurances have been provided.

Opposing the creation of a County Planning Board or Commission

WHEREAS, Erie County Legislator Jeanne Vinal, representing portions of the Towns of Amherst and Cheektowaga, has recently contacted local officials regarding a renewed effort to reinstate the Erie County Planning Board; and

WHEREAS, proposals of this nature have been opposed and rejected numerous times over the past two decades; and

WHEREAS, based on the version of a draft local law shared and referenced by Legislator Vinal's communication, this Planning Board would derive its mission and purpose from a regional growth plan adopted by Erie County in 2007; and

WHEREAS, under this version of the law, only two of the nine voting members of this board would reside outside of the Cities of Buffalo, Lackawanna, and Tonawanda or the Towns of Amherst, Cheektowaga, Tonawanda, and West Seneca, leaving a large representation gap for communities that make up a majority of the land area of Erie County, and making no distinction between suburban and rural communities outside of first-ring suburbs; and

WHEREAS, according to New York State Law, this board could have authority to review and reject certain local project proposals, or set conditions for the approval thereof, as well as act as lead agency under the State Environmental Quality Review Act, stripping away local control of the environmental impact review process; and

WHEREAS, creation of such a board would add an additional and unnecessary layer of bureaucracy to the already daunting task of fostering constructive economic development within our region; and

WHEREAS, the oversight and control conferred upon such a board would reduce the voice of local governments and the residents who would make decisions regarding land use within their own communities; and

WHEREAS, local municipalities and the residents who elect their government officials deserve to retain autonomy and authority to determine their own development and zoning plans that best suit their communities; and

WHEREAS, the State of New York has already been encroaching upon local control by proposing and enacting legislation that allows them to override local zoning regulations for various types of projects; and

WHEREAS, the Town of Orchard Park desires to maintain the identity of our community and retain control over its vision for growth through local representation; and

WHEREAS, the Orchard Park Town Board does not believe the establishment of an Erie County Planning Board would be in the best interests of the residents of Orchard Park or similarly situated municipalities across Erie County.

NOW, THEREFORE BE IT

RESOLVED, that the Town Board of Orchard Park believes it is crucial that local municipalities retain the right to determine their own planning actions; and be it further

RESOLVED, that the Town Board of Orchard Park hereby opposes the creation of an Erie County Planning Board; and be it further

RESOLVED, that certified copies of this resolution shall be sent to Erie County Executive Mark Poloncarz, members of the Erie County Legislature, and the Erie County Association of Governments.



TOWN OF ORCHARD PARK

ENGINEERING DEPARTMENT

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TOWN ENGINEER
WAYNE L. BIELER, P.E., CFM

August 28, 2026

Honorable Town Board
Town of Orchard Park
4295 South Buffalo Street
Orchard Park, New York 14127

Re: Community Activity Center Shelter Picnic - Bid Award

Dear Board Members:

Bids were opened for the Community Activity Center Shelter Picnic on August 25, 2026. The project consists of a new concrete pad and the construction of a 16'x20' Picnic Shelter with Alternate #1 "Sidewalk Installation" and Alternate #2 "Electrical Lights and Plug".

The project was formally bid out, with a total of 10 bids received. The lowest bidder was Foreman Enterprises Inc., totaling \$65,509.00 (Base Bid including Alternates #1 & #2).

The Engineering Department has reviewed the bid submitted. Foreman Enterprises is more than capable of completing this project in the time frame identified. The company has been found to possess the qualifications and experience to fulfil the stated project requirements, and I have no reservations about their capabilities. The set completion date for this project is May 28th, 2027.

Funding has been allocated through the SAM Grant, and Capital Account AB027 "Senior Van/Outdoor SAMS". The Town was awarded \$150,000.00 through this grant. There has already been \$60,380.00 used for a new Senior Center Transportation Van. The remaining funding will be applied to picnic tables, benches, and so forth.

I, therefore, recommend that you adopt the following resolution:

- 1) Award the contract for the Community Activity Center Shelter Picnic to the lowest responsible bidder, Foreman Enterprises Inc., PO Box 587 East Amherst, NY 14051, in an amount not to exceed \$65,509.00 (Base Bid and Alternates #1 & #2).

Respectfully submitted,

Wayne L. Bieler, P.E., C.F.M.
Town Engineer

Attachments: Bid Opening Sheet

Cc: William Even, Town Clerk
Timothy Gallagher, Town Attorney
Nichole Ruf, Drescher & Malecki LLP
Foreman Enterprises, Inc.

File #2026.021

TOWN OF ORCHARD PARK

BID OPENING SHEET

PROJECT: Community Activity Shelter Picnic Shelter

DATE: August 25, 2026

TIME: 2:10 PM

	BIDDER	N/C SIGNED	BID BOND AMOUNT 10%	TOTAL BID AMOUNT (Grant Amount: \$89,620.00)	BID ALT#1 (New Sidewalk to Shelter)	BID ALT#2 (Electrical and Lighting in Shelter)
GENERAL CONTRACTORS						
1	FOREMAN ENTERPRISES	X	X	\$49,800.00	\$10,965.00	\$4,744.00
2	L PHILLIPS INC.	X	X	\$53,200.00	\$15,500.00	\$10,500.00
3	GUGINO BROTHERS LLC	X	X	\$79,100.00	\$15,200.00	\$16,000.00
4	M AND S ENTERPRISES LLC	X	X	\$75,500.00	\$16,628.00	\$8,500.00
5	DMYLES INC.	X	X	\$92,700.00	\$18,730.00	\$9,200.00
6	GROUND BREAKING	X	X	\$96,300.00	\$37,600.00	\$8,000.00
7	PEYTON BARLOW INC.	X	X	\$118,800.00	\$23,000.00	\$10,800.00
8	LOUIS DEL PRINCE AND SONS INC.	X	X	\$121,700.00	\$16,700.00	\$8,500.00
9	GARDENVILLE LANDSCAPE AND NURSERY	X	X	\$125,000.00	\$16,500.00	\$12,500.00
10	JAVEN CONSTRUCTION	X	X	\$155,000.00	\$25,000.00	\$12,000.00



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ENGINEERING DEPARTMENT

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TOWN ENGINEER
WAYNE L. BIELER, P.E., CFM

August 28, 2026

Honorable Town Board
Town of Orchard Park
4295 South Buffalo Street
Orchard Park, New York 14127

Re: *Municipal and Animal Control Buildings Upgrades Project - Bid Award*

Dear Board Members:

Bids were opened for the Municipal and Animal Control Buildings Upgrades Project on August 25, 2026. The project consists of three building areas. First, the Police Area, the work consists of new concrete evidence processing and storage rooms, converting an existing evidence room into an office while also adding women's lockers, and replacement of stair treads. Second, the Municipal Building, replacement of 12 first floor windows, replacement of the exterior courtroom doors, and replacement of the exterior storage room doors. Third, the Animal Control building, the installation of washer and dryer hook ups, the creation of an isolation kennel, and the creation of passthroughs for the animals between kennels.

The project was formally bid out, and four contractors submitted bids. The lowest responsible bidder was DMyles, Inc., totaling \$307,000.00 (Base Bid and Alternate #1 Only) which includes a \$20,000.00 contingency.

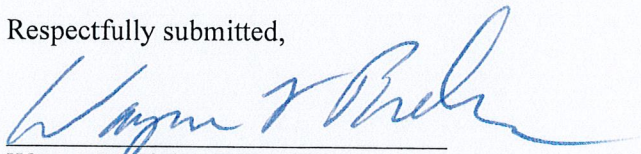
The Engineering Department has reviewed the bids submitted. DMyles, Inc. is more than capable of completing this project in the time frame identified. The employees possess the qualifications and experience to fulfil the stated project requirements and have worked for the Town of Orchard Park before. I have no reservations about their capabilities. The set completion date for this project is May 28th, 2027.

Funding is to be allocated per the Capital Projects Meeting. A grant for the Police Evidence Improvements (\$125,000.00) and the Animal Control Improvements (\$18,000.00) has been awarded. Capital accounts AB024 "Police Animal Control 2026," AB025 "Police Evidence Upgrade 2026," and AB026 "Municipal Building Upgrades 2026" have been created with an additional need for funding in the amount of approximately \$146,000.00.

I, therefore, recommend that you adopt the following resolution:

- 1) Award the contract for the Municipal and Animal Control Buildings Upgrades Project to the lowest responsible bidder, DMyles, Inc., 737 Main Street, Buffalo NY 14203 in an amount not to exceed \$307,000.00 (Base Bid and Alternate #1 Only).
- 2) The transfer of \$54,754.00 from Capital Project AD006 "Regional Basin Bray Property" to AB026 "Municipal Building Upgrades", therefore closing out Capital Project AD006.
- 3) The transfer of \$83,584.00 from Capital Project AP008 "Yates Park Recreation Building" to AB026 "Municipal Building Upgrades".
- 4) The transfer of \$7,662.00 from Capital Project AP003 "Thorn/Duerr LL Ball Diamonds" to AB026 "Municipal Building Upgrades".

Respectfully submitted,



Wayne L. Bieler, P.E., C.F.M.
Town Engineer

Attachments: Bid Opening Sheet

Cc: William Even, Town Clerk
Timothy Gallagher, Town Attorney
Nichole Ruf, Drescher & Malecki LLP
DMyles, Inc.

File: 2010.006.1

TOWN OF ORCHARD PARK											
BID OPENING SHEET											
PROJECT: Municipal and Animal Control Building Upgrades Project											
DATE: August 26, 2026 TIME: 2:00 PM											
	BIDDER	N/C SIGNED	BID BOND AMOUNT 10%	POLICE EVIDENCE (Grant Amount: \$125,000)	MUNICIPAL BUILDING	ANIMAL CONTROL (Grant Amount: \$18,000)	TOTAL BID AMOUNT	BID ALT#1 (Evidence Ceiling and Flooring)	BID ALT#2 (Mesh Wall - No CMU Wall)	BID ALT#3 (New guillotine kennel doors)	BID ALT#4 (16 First Floor Windows)
GENERAL CONTRACTORS											
1	DWYLES INC	X	X	\$118,700.00	\$107,000.00	\$57,300.00	\$303,000.00	\$4,000.00	(\$4,500.00)	\$25,700.00	\$72,000.00
2	TELCO CONSTRUCTION	X	X	\$138,170.00	\$110,210.00	\$53,970.00	\$322,410.00	\$8,070.00	(\$15,600.00)	\$8,703.00	\$73,497.00
3	PICONE CONSTRUCTION	X	X	\$160,000.00	\$135,000.00	\$60,000.00	\$375,000.00	\$12,000.00	\$9,000.00	\$30,000.00	\$90,000.00
4	JAVEN CONSTRUCTION	X	X	\$299,000.00	\$199,000.00	\$199,000.00	\$717,000.00	\$7,500.00	\$10,000.00	\$25,000.00	\$69,000.00

Dmyles Inc.

Total Bid: \$307,000.00

Funding:

Practical

Police Evidence:

Animal Control:

Municipal Building:

Construction Contingency

Total Funding Needed:

Grants:

\$125,000.00 Covered

\$18,000.00 \$57,300 - \$18,000 = \$39,000.00 Needed

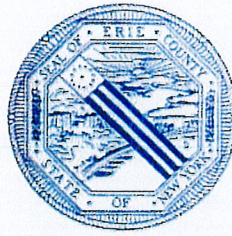
None \$107,000.00 Needed

None \$20,000.00 Needed

\$166,300.00

Please refer the following to the Planning & Conservation Board for its recommendation:

1. Regarding P.B. File # 24-26, 9274 Group Inc, V/L South Benzing Road, located on the Western side of the Northern end of South Benzing Road, Zoned DR-2. Applicant proposes to construct a flex use industrial building. ZBA granted a Use Variance on 7/21/26. (SBL # 161.06-1-2).
2. Regarding PB File # 25-26, 3565 Southwestern Boulevard, West Herr Kia, Southeastern Side of Southwestern Boulevard, Northeast of the intersection of Southwestern and Mid-County Drive, Zoned B-2. Applicant seeks to construct a 4,550 gross square foot addition to the service portion of the building. (SBL # 161.07-7-11.1).



COUNTY OF ERIE

DEPARTMENT OF ENVIRONMENT AND PLANNING

DANIEL R. CASTLE, AICP, COMMISSIONER

ZAQUE EVANS, DEPUTY COMMISSIONER &
CHIEF ECONOMIC DEVELOPMENT OFFICER

30-DAY PERIOD FOR INCLUSION OF PREDOMINANTLY VIABLE AGRICULTURAL LANDS INTO EXISTING AGRICULTURAL DISTRICTS

Per New York State Agriculture and Markets Law Section 303-b, the Erie County Legislature designated September 1 through September 30 as the annual thirty-day period during which landowners may submit requests to include predominantly viable agricultural land into an existing certified agricultural district.

Copies of the application form have been provided to Municipal Clerks, Assessors, and Chief Elected Officials for distribution to interested landowners. The application is also available online at www.erie.gov/agenrollment.

The Erie County Department of Environment and Planning will accept applications from September 1 through September 30. Any questions on this process should be directed to the Erie County Department of Environment and Planning.

A public hearing will be scheduled at a later date to consider all requests and recommendations of the Erie County Agricultural and Farmland Protection Board.

CONTACT:

Sarah Gatti, Principal Planner
Erie County Environment & Planning
95 Franklin Street, 10th Floor
Buffalo, NY 14202
Phone: (716) 858-6014
Fax: (716) 858-7248
Email: agriculture@erie.gov

Memo

To: Municipal Clerks
Chief Elected Officials c/o Municipal Clerks
Municipal Assessors c/o Municipal Clerks

From: Sarah Gatti, Principal Planner 

Date: August 26, 2026

Re: AGRICULTURAL DISTRICT ANNUAL ENROLLMENT PERIOD

In 2014, the Erie County Legislature designated September 1 through September 30 each year as the annual thirty-day period during which a landowner may request the inclusion of predominantly viable agricultural land into a certified agricultural district in accordance with Section 303-b of New York State Agricultural and Markets Law.

Landowners interested in agricultural assessment may also be interested in enrolling in an agricultural district at this time. We encourage you to provide this information to anyone expressing interest in this or other agricultural programs.

In order to make this information available to landowners in your municipality, we request your assistance with the following items:

- *Municipal Clerks* – Please post the enclosed public notice in a prominent location within the Town or Village Hall, and if possible, post on your municipality's web site.
- *Supervisors and Mayors* – Please read the enclosed public notice into the meeting minutes for any Town or Village Board meetings held between now and September 30 as part of the Board's record.
- Please direct those interested in enrolling to erie.gov/agenrollment where additional information and the online enrollment form can be found.

Should any questions arise, please contact me by phone at (716) 858-6014 or by email at agriculture@erie.gov.

Thank you for your anticipated cooperation and attention to this matter.