

Authorization for Release of Escrow Funds

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.

Approve Additions to Standard Work Day Reporting

RESOLVED, that the Town Board does hereby add Town Supervisor Joseph Liberti, Town Clerk William C. Even, Town 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.

**TOWN OF ORCHARD PARK RESOLUTION TEMPORARILY SUSPENDING
ENFORCEMENT OF TOWN CODE §97-34 (FIREWORKS RESTRICTED ONLY) IN
CHAPTER 97, ARTICLE II (YATES PARK), FOR A LIMITED PURPOSE**

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.

Resolution to Approve a Budget Transfer

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

Approve a Stable Permit

RESOLVED, that the Town Board does hereby approve the 2026 Stable Permit for Skibbereen Farm at 5142 Bussendorfer Rd., Orchard Park, NY 14127.

Parks & Grounds New Hire

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.



Building Maintenance Department new hire

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.

Recreation Department Appointments

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

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.

Vehicle Transfer

WHEREAS, the Building Inspector has identified the Building Department no longer has a need for the 2020 Ford EcoSport SE with current mileage of 22,046, with the last 4 of the VIN 9754 and license plate Number AK5188; and

WHEREAS, the Building Inspector has asked multiple departments if they can utilize this vehicle; and

WHEREAS, the Special Districts Department can utilize this vehicle on a daily basis for many task; now

NOW, THEREFORE be it

RESOLVED, that the Town Board does hereby approve the 2020 Ford EcoSport with the last 4 of the VIN 9754, be officially transferred from the Building Department to the Special Districts Department.

RESOLUTION APPOINTING BERNADETTE CLABEAUX TO THE PLANNING BOARD

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.

RESOLUTION EXTENDING APPOINTMENT OF DEPUTY TOWN ATTORNEY

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.



TOWN OF ORCHARD PARK

MEMORANDUM

S.4295 SOUTH BUFFALO STREET
ORCHARD PARK, NEW YORK 14127
(716) 662-6432, ext. 2202

DATE: 6/11/26

TO: Town Board Members

COPY: Bill Evans, Town Clerk
Jennifer Brady, Deputy Town Attorney

FROM: Anna Worang-Zizzi, Director of Community Development

SUBJECT: Item(s) for TB Agenda

OLD BUSINESS:

The Planning Board at their 6/11/26 meeting made the following recommendations:

1. Regarding 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 Planning Board recommends that the Town Board approve 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.
2. Regarding P.B. File #10-26, P. B. File #10-26, 3275 North Benzing Road, located on the West side of North Benzing Road, north of Amanda Lane, Zoned B-1. (SBL# 152.18-1-1). I move to recommend that the Town Board approve the presented Site Plan, received 6/10/26 and authorize 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.

TOWN OF ORCHARD PARK

BUILDING INSPECTOR MONTHLY REPORT

MONTH OF MAY 2026

BUILDING PERMITS	# OF	VALUE	BUILDING PERMITS	# OF	VALUE
NEW CONSTRUCTION:			ABOVE GROUND POOLS		
SINGLE DWELLING	3	1,705,244	INGROUND POOLS	2	220,857
DOUBLE DWELLING			DECKS	4	53,000
APT/MULTI-FAMILY			ELECTRICAL	4	12,290
COMMERCIAL			FENCES	8	73,682
ADDITIONS:			GARAGE / BARN / POLE BARN	1	90,000
RESIDENTIAL	4	360,000	GENERATORS	4	47,906
COMMERCIAL			MISC. (OPERATING/ DEMO)	4	22,300
ALTER/REPAIR:			PORCH/PATIO	4	249,619
RESIDENTIAL	4	79,535	SHEDS	6	59,134
COMMERCIAL / TENANT BO	4	555,461	SIGNS	2	25,100
COMMERCIAL MISC.	2	14,000	RESIDENTIAL MISC.	28	612,992
SOLAR PV SYSTEM	1	21,206.00	TOTAL:	85	4,202,326

INSPECTIONS	NUMBER OF INSPECTIONS PER ZONE				TOTAL
TYPE:	1	2	3	4	
NEW CONSTRUCTION:					
RESIDENTIAL	9	10	11	2	32
COMMERCIAL		5			5
ADDITIONS:					
RESIDENTIAL	2	2		7	11
COMMERCIAL		1	2		3
ALTER/REPAIR:					
RESIDENTIAL	4	10	6	5	25
COMMERCIAL / TENANT BO		1	3	4	8
ABOVE GROUND POOLS					
INGROUND POOLS			1	1	2
DECKS	2	2	2	1	7
ELECTRICAL					
FENCES		1			1
GARAGE/BARN/POLE BARN	1	2	1		4
Generators		2	1		3
MISC.		4	2	3	9
PROPERTY MAINTENANCE	4	17	10	26	57
SHEDS		1		4	5
SIGNS					
SOLAR PV SYSTEM		2			2
FIRE INSPECTIONS	1	2	9	19	31
CLOSEOUT INSPECTIONS			2		2
TOTAL INSPECTIONS:	23	62	50	72	207

Meetings Attended	Town Board	Planning Board	Z B A	Court
Tom Minor	4	2		
Natalie Nawrocki			1	
Jacob Klahn				
Paul Tatko				

ZONING BOARD OF APPEALS:

GRANTED: 2__

DENIED: __

Tabled __1__

SIGNATURE: _____

DATE: _____