Minutes
Village of Orchard Park
Board of Trustees

The regular meeting of the Board of Trustees of the Village of Orchard Park was held on Monday, October 26, 2026 in the Municipal Center, 4295 South Buffalo Street, Orchard Park, New York. Mayor Clinton called the meeting to order at 7:00 p.m. with the Pledge of Allegiance to the Flag.

Members present:
- Mayor Jo Ann Litwin Clinton
- Trustee Matthew J. Hartung
- Trustee Dale T. Pyne
- Trustee Christine Martin Popek

Members Excused:
- Trustee David N. Even

Others present:
- Clerk-Treasurer Heather Tucciarone-Richeal
- Manager of Public Works Emery Wittmeyer
- Code Enforcement Officer John Gullo
- Attorney John C. Bailey

Mayor Clinton made the following announcement:
"Fire exits are located at the rear in the Board Room and at the doorway to the lobby. In the event of a fire, you will be notified by announcement on the public address system. If notified, please move in a calm and orderly fashion to the nearest exit."

A public hearing was scheduled and advertised for this time to hear public comment on the use of Community Development Block Grant funds.

Mayor Clinton opened the hearing at 7:01 p.m. and explained that the purpose of this hearing is for citizens to provide input and share ideas for possible projects which would benefit low- and moderate- income persons in the Village of Orchard Park.

Mayor Clinton listed previously funded projects including ADA Parking Improvements in 2017 and Sensory Crosswalk Improvements in 2020.

Mayor Clinton opened the floor to public comment and asked if there was anyone that would like to speak on a possible project. There were none.

Mayor Clinton then proposes that the Village of Orchard Park rank the Rural Transit Service as the number one project.

Mayor Clinton asked three times for positive comments on the proposed project. There were none.
Mayor Clinton asked three times for negative comments on the proposed project. There were none.

Moved by Trustee Martin Popek, seconded by Trustee Pyne to close the hearing at 7:02 pm.

On the question:	3 voting "Aye" Trustee Hartung Trustee Pyne Trustee Martin Popek	0 voting "Nay"	Carried

Moved by Trustee Hartung, seconded by Trustee Martin Popek authorizing Mayor Clinton to sign, submit and execute a contract with Erie County Community Development Block Grant (ECCDBG) program for the following project upon approval of ECCDBG:

1. Rural Transit Service, Inc.

On the question:	3 voting "Aye" Trustee Hartung Trustee Pyne Trustee Martin Popek	0 voting "Nay"	Carried

A public hearing was scheduled and advertised for this time to hear public comment on a proposed Local Law amending the Village of Orchard Park Municipal Code, Chapter 177, entitled "Short-Term Rental Units". Mayor Clinton opened the meeting at 7:03 p.m., giving a brief explanation of the amendments and offering copies of the Local Law on the rail.

Mayor Clinton asked 3 times for comments in favor of the proposed Local Law. There were none.

Mayor Clinton asked 3 times for comments opposed to the proposed Local Law. There were none.

Moved by Trustee Pyne, seconded by Trustee Hartung to close the hearing at 7:04 p.m.

On the question:	3 voting "Aye" Trustee Hartung Trustee Pyne Trustee Martin Popek	0 voting "Nay"	Carried

Moved by Trustee Martin Popek, seconded by Trustee Pyne to approve the following Local Law as presented:

Amend the Village of Orchard Park Municipal Code, Chapter 177, entitled "Short-Term Rental Units".

SECTION I:

§177-5 Special permit requirements.

(E.) The Village shall notify all property owners within 200 feet of the subject premises, in writing, that an application has been submitted to allow the subject property to be used as a short-term rental.

SECTION II: Effective Date
This local law shall take effect immediately upon filing with the Secretary of State.

On the question:	3 voting "Aye" Trustee Hartung Trustee Pyne Trustee Martin Popek	0 voting "Nay"	Carried

Moved by Trustee Hartung, seconded by Trustee Martin Popek to accept the minutes of September 28, 2026 as presented.

On the question:	3 voting "Aye" Trustee Hartung Trustee Pyne Trustee Martin Popek	0 voting "Nay"	Carried

Moved by Trustee Hartung, seconded by Trustee Martin Popek that vouchers numbering 8614 to 8648 in abstract #308 of fiscal year 2026-2027 in the amount of $60,937.87, vouchers numbering 8649 to 8669 in abstract #309 of fiscal year 2026-2027 in the amount of $79,107.45, and vouchers numbering 8670 to 8673 in abstract #310 of fiscal year 2026-2027 in the amount of $2,583.82 be paid as presented.

On the question:	3 voting "Aye" Trustee Hartung Trustee Pyne Trustee Martin Popek	0 voting "Nay"	Carried

There were no comments from the floor of items not on the agenda.

Moved by Trustee Hartung, seconded by Trustee Martin Popek that the reports of the Village Justice, Associate Village Justice, Treasurer and Water Department for the month of September be received and filed.

On the question:	3 voting "Aye" Trustee Hartung Trustee Pyne Trustee Martin Popek	0 voting "Nay"	Carried

Code Enforcement Officer Gullo mentioned that many of the most common building permit applications are now available electronically on the Village website.

Manager of Public Works Wittmeyer asked residents to please keep leaf and brush piles separated. It assists the DPW crews in clearing the streets faster and more efficiently.

Trustee Popek reminded everyone to sign up for CivicPlus to receive emergency and urgent notifications from the Village. The link to sign up is on the Village website and allows you to customize notification preferences including voice call, text message and email options.

Trustee Hartung announced that the winter parking ban in the Village begins on November 1st and runs through April 1st. There is no parking on Village streets between midnight-7 am.

Trustee Pyne was very happy to see so many families and visitors in the Village for the annual Halloween in the Park last weekend. It was a huge success once again and overall a great event for the community.

Clerk-Treasurer Richeal stated that the last day to pay Village taxes is November 2nd. Any outstanding taxes will be re-levied to the County as of November 3rd.

Attorney Bailey had nothing to report.

Mayor Clinton announced that Halloween trick or treating in the Village will take place from 6-8 pm on October 31st. Please take extra care when driving.

Moved by Trustee Hartung, seconded by Trustee Martin Popek that Mayor Clinton be authorized to sign an Undertaking Agreement (PERM 1) in connection with highway permits issued by New York State Department of Transportation. Unless terminated for the purpose of future activities /operations, this Undertaking shall have a term of twenty (20) years, and shall be kept on file for the issuance of future permits to which it shall apply. A signed copy to be returned to the State along with a certified copy of this resolution.

On the question:	3 voting "Aye" Trustee Hartung Trustee Pyne Trustee Martin Popek	0 voting "Nay"	Carried

Moved by Trustee Pyne, seconded by Trustee Hartung, that pursuant to the Uniform Justice Court Act §2019(a) the Village Board has completed an audit of the records of the Village Justice and found them to be properly accounted for and in order.

On the question:	3 voting "Aye"	0 voting "Nay"	Carried

Trustee Hartung
Trustee Pyne
Trustee Martin Popek

Moved by Trustee Pyne, seconded by Trustee Martin Popek, that pursuant to Village Law §4-408(e) the Village Board has completed an audit of the records and annual report of the Village Treasurer and found them to be properly accounted for and in order.

On the question: 3 voting "Aye" 0 voting "Nay" Carried
Trustee Hartung
Trustee Pyne
Trustee Martin Popek

Moved by Trustee Hartung, seconded by Trustee Pyne that the General Village Election be scheduled for Tuesday, March 16, 2027 to elect two (2) Village Trustees, each for a four-year term; and one (1) Village Justice for a four-year term. The election will take place at the Orchard Park Municipal Center at 4295 South Buffalo Street from the hours of 12:00 noon to 9:00 p.m.

On the question: 3 voting "Aye" 0 voting "Nay" Carried
Trustee Hartung
Trustee Pyne
Trustee Martin Popek

Moved by Trustee Martin Popek, seconded by Trustee Hartung that the following budget adjustments be authorized for the 2026-2027 fiscal year:

Increase budget for:

Park Pl. Waterline Replacement	HH-68397-206	$14,361.07

Offset by use Capital Fund Balance

On the question: 3 voting "Aye" 0 voting "Nay" Carried
Trustee Hartung
Trustee Pyne
Trustee Martin Popek

Moved by Trustee Pyne, seconded by Trustee Martin Popek that a joint hearing be scheduled and advertised for Wednesday, December 2, 2026 at 6:30 pm for the purpose of hearing public comment on a petition to annex 1 parcel from the Town of Orchard Park into the Village of Orchard Park.

- SBL #162.13-3-5 N. Freeman Road by Taliesin Development, LLC

On the question: 3 voting "Aye" 0 voting "Nay" Carried
Trustee Hartung

Trustee Pyne
Trustee Martin Popek

The next regular meeting is scheduled for November 9, 2026.

Moved by Trustee Hartung, seconded by Trustee Martin Popek to adjourn at 7:12 p.m.

On the question: 3 voting “Aye” 0 voting “Nay” Carried
Trustee Hartung
Trustee Pyne
Trustee Martin Popek

Respectfully submitted,

Heather Tucciarone-Richeal, Village Clerk-Treasurer