

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, August 11, 2025 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 David N. Even
Trustee Christine M. Popek

Others present:

Clerk-Treasurer Heather Tucciarone-Richeal
Code Enforcement Officer John Gullo
Attorney Philip M. Marshall

Members Excused:

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.”

Moved by Trustee Even, seconded by Trustee Pyne to accept the minutes of July 14, 2025 as presented.

On the question:	4 voting “Aye”	0 voting “Nay”	Carried
	Trustee Hartung		
	Trustee Pyne		
	Trustee Even		
	Trustee Popek		

Moved by Trustee Hartung, seconded by Trustee Even that voucher number 7813 in batch #267 of fiscal year 2025-2026 in the amount of \$ 1,483.75, vouchers numbering 7814 to 7816 in batch #268 of fiscal year 2025-2026 in the amount of \$ 8,000.00, vouchers numbering 7817 to 7837 in batch #269 of fiscal year 2025-2026 in the amount of \$ 63,607.91, voucher number 7838 in batch #270 of fiscal year 2025-2026 in the amount of \$ 599.99 and vouchers numbering 7839 to 7859 in batch #271 of fiscal year 2025-2026 in the amount of \$ 67,535.58 be paid as presented.

On the question:	4 voting “Aye”	0 voting “Nay”	Carried
	Trustee Hartung		
	Trustee Pyne		
	Trustee Even		
	Trustee Popek		

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

Moved by Trustee Hartung, seconded by Trustee Even that the reports of the Village Justice, Associate Village Justice and Water Department for the month of July, and Treasurer reports for the months of June and July be received and filed.

Building and Code Enforcement Officer Gullo had nothing to report.

Trustee Pyne had nothing to report.

Trustee Even had nothing to report.

Trustee Popek had nothing to report.

Trustee Hartung wanted to mention to the recent water breaks. He stated that this is due to the increased demand with the summer heat and the aging water system. He asked residents to please contact the Village DPW during normal business hours and the Orchard Park Police Department after hours if they notice any issues.

Clerk-Treasurer Richeal had nothing to report.

Attorney Marshall had nothing to report.

Mayor Clinton had nothing to report.

Moved by Trustee Popek, seconded by Trustee Even that Clerk-Treasurer Richeal be authorized to pay all invoices submitted prior to the end of the month, after review by Mayor Clinton or Deputy Mayor Hartung.

On the question:	4 voting "Aye" Trustee Hartung Trustee Pyne Trustee Even Trustee Popek	0 voting "Nay"	Carried
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Village Attorney Marshall initiated a hearing at 7:04 pm pursuant to Chapter 96 of the Orchard Park Village Municipal Code with regard to property located at 6352 Armor Duells Road, Orchard Park, New York. Building and Code Enforcement Officer Gullo was sworn in by Clerk-Treasurer Richeal. Mr. Gullo affirmed that he has 38 years of experience in building code enforcement and is personally familiar with the property located at 6352 Armor Duells Road. Mr. Gullo provided testimony with respect to an investigative report dated May 14, 2025, marked exhibit one (1), that detailed the condition of the structures on the property, including a house, garage and shed. Mr. Gullo confirmed that property owner did receive a notification pursuant to Article 96 of the Municipal Code directing that the property be demolished as indicated in exhibit two (2). Mr. Gullo also verified that he mailed the property owner an Order to Show Cause notifying of the proceedings this evening as shown in exhibit three (3). Mr. Gullo

testified that the notification was sent by registered mail and received by the property owner as evidenced in exhibit five (5), a copy of the US Postal Service receipt. Mr. Gullo acknowledged that the property owner, Belinda Kimmick, has previously been summoned to the Village of Orchard Park Justice Court for similar building code violations at this address. Mr. Gullo is requesting that the Village of Orchard Park Board of Trustees make Written Findings of Fact from these proceedings and order the buildings to be demolished. Attorney Marshall closed the hearing at 7:12 pm with no additional questions from the Village Board of Trustees.

Moved by Trustee Hartung, seconded by Trustee Pyne the following:

Orchard Park Village Board Finding of Fact and Order re. 6352 Armor Duells Road after hearing held in the Orchard Park Municipal Building on August 11, 2025.

Findings of Fact

1. The above referenced property is situate in the Village of Orchard Park, containing a house, garage and shed.
2. The property has been vacant for at least six (6) years.
3. There is no utility service at the property.
4. There are holes in the walls of the house and the house appears to be infested with rodents and vermin.
5. The roof on the house is in poor condition and there are several pieces of siding missing.
6. The electrical service cable is deteriorated, allowing water to enter the basement.
7. The front concrete stairs have shifted and are in an unsafe condition.
8. The foundation and chimney have mortar joints cracked and missing.
9. There are numerous holes in the walls of the house and garage.
10. Walls of the house are bowing.
11. There is evidence of rodents and vermin in the house, garage and shed.
12. The buildings are unsafe within the terms of Section 96-1 of the Municipal Code.
13. The owner of the property was duly notified of the hearing as required by the Municipal Code and has not appeared or contested the above noted findings.

It is hereby Ordered that the owner demolish the above referenced structures within 10 days and failing same, the Board of Trustees shall cause such buildings and structures to be demolished and that the costs of such demolition be charged against the land as a municipal lien and/or cause such costs to be added to the tax rolls as an assessment, or to be levied as a special tax against the land on which the buildings did stand.

On the question:	4 voting "Aye" Trustee Hartung Trustee Pyne Trustee Even Trustee Popek	0 voting "Nay"	Carried
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Moved by Trustee Even, seconded by Trustee Hartung that the following resolution be adopted:

RESOLVED, in accordance with the New York State Environmental Quality Review (SEQR) regulations, the Board of Trustees of the Village of Orchard Park hereby announces its intent to serve as Lead Agency to conduct an environmental review of the proposed watermain replacement along South Buffalo Street, between Armour Duells Road and School Street. The proposed project involves replacement of the existing 12-inch asbestos cement water main with approximately 5,700 linear feet of new 12-inch PVC water main along South Buffalo Street, the installation of 21 new gate valves, 11 new fire hydrants, and replacement of water services to the right-of-way (ROW) line; and

BE IT FURTHER RESOLVED, the Village Board has determined that the proposed action is a Type I action as defined under SEQR; and

BE IT FURTHER RESOLVED, the Village Board has commissioned LaBella Associates D.P.C. to prepare Part 1 of the Environmental Assessment Form regarding the project; and

BE IT FURTHER RESOLVED, the Village Board will notify the Involved Agencies of its intention to act as Lead Agency for this project and will provide them with a copy of the completed Part 1 of the Long Environmental Assessment Form for review during the 30-day comment period.

On the question:	4 voting “Aye” Trustee Hartung Trustee Pyne Trustee Even Trustee Popek	0 voting “Nay”	Carried
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Moved by Trustee Pyne, seconded by Trustee Hartung that the following budget adjustments be authorized for fiscal year 2025-2026:

Create a budget for the Traffic Calming Study Project:		
Create Erie County Grant Revenues Account (AA-41180-000)		\$25,000
Increase Professional Services Expense Account (AA-61988-400)		\$25,000

On the question:	4 voting “Aye” Trustee Hartung Trustee Pyne Trustee Even Trustee Popek	0 voting “Nay”	Carried
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Moved by Trustee Popek, seconded by Trustee Even that Mayor Clinton be authorized to sign a Special Events Contract with St. John’s Lutheran Church to organize a Country Night outdoor music and food event on September 12, 2025 from 5:00 pm - 9:00 pm and with OP Social Tap and Grill for a 10 year Anniversary Celebration on September 11, 2025 from 5:00 pm – 9:00 pm pending appropriate insurance submittal

On the question:	4 voting “Aye”	0 voting “Nay”	Carried
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Trustee Hartung
Trustee Pyne
Trustee Even
Trustee Popek

The next regular meeting is scheduled for September 8, 2025.

Moved by Trustee Hartung, seconded by Trustee Even to adjourn at 7:19 p.m.

On the question:	4 voting "Aye"	0 voting "Nay"	Carried
	Trustee Hartung		
	Trustee Pyne		
	Trustee Even		
	Trustee Popek		

Respectfully submitted,

Heather Tucciarone-Richeal, Village Clerk-Treasurer