

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, December 8, 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
Manager of Public Works Emery Wittmeyer

Members absent:

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 establishment of 2026 Village Water Rates.

Mayor Clinton opened the Public Hearing at 7:01 p.m. to establish new water rates with a brief overview of the changes.

Mayor Clinton asked three times for comments in favor. There were none.

Mayor Clinton asked three times for comments in opposition. There were none.

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

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 Pyne that the following resolution be adopted:

WHEREAS, due to an increase by Erie County Water Authority (our source of supply) of the cost of water, it is necessary to increase the rates for water usage, be it

RESOLVED, that the following water rates be effective as of January 1, 2026:

For district users - a rate of \$11.25 per one thousand gallons plus an O&M quarterly charge of \$10.89; the minimum quarterly water charge being \$112.14 for nine thousand gallons.

For non-district users - a rate of \$15.76 per one thousand gallons plus an O&M quarterly charge of \$46.23; the minimum quarterly water charge being \$188.07 for nine thousand gallons.

BE IT FURTHER RESOLVED, unpaid charges shall be enforced as provided by Chapter 210 of the Municipal Code of the Village of Orchard Park.

On the question:	4 voting "Aye" Trustee Hartung Trustee Pyne Trustee Even Trustee Popek	0 voting "Nay"	Carried
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A public hearing was scheduled and advertised for this time to hear public comment on a Special Use request by Kristie Greene, Greene Quaker Home, LLC, to establish a short-term rental at 6883 East Quaker Street, SBL #162.18-1-32.

Mayor Clinton opened the public hearing at 7:04 pm explaining that at the previous hearing on November 10, 2025, there was incorrect information presented, therefore the Village Board rescinded the Special Use Permit and a new hearing was scheduled. Mayor Clinton then asked for a representative of the petitioner to explain the request.

- Jim Bammel described the use and proposed AirBnb rental for the entire home. He explained that there are 2 garage spaces and an additional 2 parking spaces in front of the garage for vehicles. He further explained that Stefanie Josker of Metro Roberts Realty is the local co-host and a property maintenance and cleaning contractor in place as well. Occupancy is limited to a maximum of six people based on the number of beds as established by AirBnb regulations.

Mayor Clinton asked 3 times for comments in support of the Special Use request. There were none.

Mayor Clinton asked 3 times for comments opposing the Special Use request.

- John Bos, 6925 E. Quaker St., believes that allowing for more short-term rentals on E. Quaker St. is a mistake. The neighborhood is currently a family centered street of homeowners and long-term residents and feels this will have a negative impact. He asked the Board to turn down the request.

- Katherine Donnelly, 6874 E. Quaker St., stated that she is very concerned with the increase of short-term rentals and believes this will change the character of the Village.

- A member of the audience voiced her opposition to the proposal. She feels that this will destroy the wonderful neighborhood.

Clerk-Treasurer read into the record communication received by the Village Office from Sean Needham, 6884 E. Quaker St., expressing his concerns and opposition to the proposed short-term rental.

Deputy Mayor Hartung asked Jim Bammel to confirm that the property owner has immediate family in the area. Jim verified that the owner's mother also lives in the area of Freeman Pond and her sister lives on Stonehenge Dr.

Mayor Clinton acknowledged the residents' concerns and would like the Board to further review the request.

Moved by Trustee Even, seconded by Trustee Popek to table the Special Use request to allow for additional review by the Village Board .

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

Moved by Trustee Popek, seconded by Trustee Hartung to accept the minutes of November 24, 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 vouchers numbering 8049 to 8074 in Batch #280 of fiscal year 2025-2026 in the amount of \$78,439.10 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, Treasurer and Water Department for the month of November be received and filed.

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

Trustee Popek

Code Enforcement Officer Gullo wanted to make everyone aware that certain building permits are now available to be completed online to make the permitting process easier for homeowners and contractors and will be expanding to include more permit options in the near future. He also reminded property owners that it is the owner’s responsibility to maintain their sidewalk. The Village DPW makes a concerted effort to plow sidewalks as much as possible but ultimately the property owner is responsible for shoveling and salting.

Manager of Public Works Wittmeyer had nothing to report.

Trustee Hartung added for residents, businesses and snow plowing contractors that snow cannot be pushed into the right of way or onto sidewalks. He also noted that the colder temperatures contribute to water breaks and asked that if anyone notices water bubbling from the street or sidewalk to please contact the Village DPW during the day or Police department after hours to report a break.

Trustee Pyne had nothing to report.

Trustee Even had nothing to report.

Trustee Popek had nothing to report.

Clerk-Treasurer Richeal had nothing to report.

Mayor Clinton announced that the Village Board has received the resignation of Village Prosecutor, Charles Messina, effective December 31, 2025.

Moved by Trustee Popek, seconded by Trustee Pyne to accept the resignation of Charles Messina, Village Prosecutor, effective December 31, 2025.

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

Mayor Clinton makes an appointment to fill the vacancy of Village Prosecutor beginning January 1, 2026 until the next organizational meeting in April 2026:

Village Prosecutor, Daniel Kane

Moved by Trustee Pyne, seconded by Trustee Hartung to approve the Mayor’s appointment.

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

Mayor Clinton announced that the Village Board has received the resignation of Philip Marshall, Village Attorney, effective December 31, 2025.

Moved by Trustee Even, seconded by Trustee Popek to accept the resignation of Philip Marshall, Village Attorney, effective December 31, 2025.

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

Mayor Clinton makes an appointment to fill the vacancy of Village Attorney beginning January 1, 2026 until the next organizational meeting in April 2026:

Village Attorney, John C. Bailey

Moved by Trustee Hartung, seconded by Trustee Pyne to approve the Mayor’s appointment.

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

Moved by Trustee Even, seconded by Trustee Popek that the Village Board meeting scheduled for December 22, 2025 be canceled.

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 Pyne that because the next scheduled Village Board meeting is January 12, 2026, Clerk-Treasurer Richeal be authorized to pay all vouchers submitted by December 31, 2025 after review by Mayor Clinton or Deputy Mayor Hartung.

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

Moved by Trustee Popek, seconded by Trustee Even authorizing Mayor Clinton to sign a Special Event Contract with St. John’s Lutheran Church to organize a Frozen Chosen 5K on January 24, 2026 at 10am.

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

The next regular meeting is scheduled for January 12, 2026.

Moved by Trustee Hartung, seconded by Trustee Even to adjourn at 7:31 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