

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, April 13, 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 David N. Even
Trustee Christine M. Popek

Others present:

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

Members excused:

Trustee Dale T. Pyne

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.”

Mayor Clinton opens the organizational meeting and makes the following Trustee/Mayoral duty designations:

- Mayor Clinton
 - Chief Fiscal Officer
 - Budget Director
 - Personnel Officer
 - Insurance
 - State & County Liaison
 - Comprehensive Plan
 - Grants

- Trustee Hartung
 - Deputy Mayor
 - Town Board Liaison
 - Public Works
 - Street Lights, Sidewalks and Signals
 - Public Safety
 - ECRT Liaison

- Trustee Even
 - Business Community Liaison
 - Village Events and Celebrations
 - Youth Court
 - Zoning Board Liaison
 - Building Department Liaison
 - Village Code Review

- Trustee Pyne
 - Franchises
 - Solid Waste & Recycling

- Revenue from outside the Village
- Planning Board Liaison
- NYSEG
- Senior Projects
- Trustee Popek
 - Town Tree Conservancy Liaison
 - WNY Railway Liaison
 - Policy and Procedure Review
 - Website Review
 - Beautification

Moved by Trustee Popek seconded by Trustee Even that the Mayor's Duty Designations be approved.

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

Mayor Clinton makes the following five-year appointments:

Member of the Zoning Board of Appeals – Peter Freyer

Moved by Trustee Hartung seconded by Trustee Popek that the Mayor's five-year appointment be approved.

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

Mayor Clinton makes the following one-Year Appointments:

Deputy Clerk Treasurer – Shannon Atkinson

Moved by Trustee Even, seconded by Trustee Hartung that the Mayor's one-year appointment be approved.

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

Attorney – John C. Bailey

Moved by Trustee Even, seconded by Trustee Hartung that the Mayor's one-year appointment be approved.

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

Prosecutor – Daniel Kane

Moved by Trustee Even, seconded by Trustee Hartung that the Mayor's one-year appointment be approved.

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

Code Enforcement Officer – John Gullo

Moved by Trustee Even, seconded by Trustee Hartung that the Mayor's one-year appointment be approved.
On the question: 3 voting "Aye" 0 voting "Nay" Carried
Trustee Hartung
Trustee Even
Trustee Popek

Chairman - Zoning Board of Appeals – Steve Snyder

Moved by Trustee Even, seconded by Trustee Hartung that the Mayor's one-year appointment be approved.
On the question: 3 voting "Aye" 0 voting "Nay" Carried
Trustee Hartung
Trustee Even
Trustee Popek

Chairman - Planning Board – Ronald "Gunner" Tronolone

Moved by Trustee Even, seconded by Trustee Hartung that the Mayor's one-year appointment be approved.
On the question: 3 voting "Aye" 0 voting "Nay" Carried
Trustee Hartung
Trustee Even
Trustee Popek

Secretary - Zoning Board of Appeals – Christine Hanavan

Moved by Trustee Even, seconded by Trustee Hartung that the Mayor's one-year appointment be approved.
On the question: 3 voting "Aye" 0 voting "Nay" Carried
Trustee Hartung
Trustee Even
Trustee Popek

Alternate member of the Planning Board – Monica Bruce

Moved by Trustee Even, seconded by Trustee Hartung that the Mayor's one-year appointment be approved.
On the question: 3 voting "Aye" 0 voting "Nay" Carried
Trustee Hartung
Trustee Even
Trustee Popek

Alternate member of the Planning Board – Kevin Crane

Moved by Trustee Even, seconded by Trustee Hartung that the Mayor's one-year appointment be approved.
On the question: 3 voting "Aye" 0 voting "Nay" Carried
Trustee Hartung
Trustee Even
Trustee Popek

Alternate members of the Zoning Board of Appeals – Scott Shular

Moved by Trustee Even, seconded by Trustee Hartung that the Mayor's one-year appointment be approved.
On the question: 3 voting "Aye" 0 voting "Nay" Carried
Trustee Hartung
Trustee Even
Trustee Popek

Dog Control Officer – Elizabeth Bertozzi

Moved by Trustee Even, seconded by Trustee Hartung that the Mayor's one-year appointment be approved.

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

Registrar – William Even

Moved by Trustee Even, seconded by Trustee Hartung that the Mayor's one-year appointment be approved.

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

Deputy Registrar – Jennifer Brady

Moved by Trustee Even, seconded by Trustee Hartung that the Mayor's one-year appointment be approved.

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

Associate Village Justice – Sean O'Brien

Moved by Trustee Even, seconded by Trustee Hartung that the Mayor's one-year appointment be approved.

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

Clerk to Village Justice – Marie Falzone

Moved by Trustee Even, seconded by Trustee Hartung that the Mayor's one-year appointment be approved.

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

Disaster Coordinator – Jordan Kellerman

Moved by Trustee Even, seconded by Trustee Hartung that the Mayor's one-year appointment be approved.

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

Assistant Disaster Coordinator – Matthew Hartung

Moved by Trustee Even, seconded by Trustee Hartung that the Mayor's one-year appointment be approved.

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

Economic Development Committee Member – John Capriotto

Moved by Trustee Even, seconded by Trustee Hartung that the Mayor's one-year appointment be approved.

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

Trustee Popek

Social Media Coordinator – Shannon Atkinson

Moved by Trustee Even, seconded by Trustee Hartung that the Mayor’s one-year appointment be approved.

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

Village Historian – Jo Ann Litwin Clinton

Moved by Trustee Even, seconded by Trustee Hartung that the Mayor’s one-year appointment be approved.

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

Moved by Trustee Popek, seconded by Trustee Even that the regular Village Board meetings for the fiscal year 2026-2027 be scheduled for 7:00 PM on the second and fourth Monday of each month, with the following exceptions:

- July, August & December 2026 the Village Board will only meet on the second Monday of the month.

Be it further moved that a work session for the Board of Trustees be scheduled on each Monday of the month as needed.

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

Moved by Trustee Hartung, seconded by Trustee Popek that the Planning Board Meetings be scheduled the first Tuesday of each month at 7:00 PM.

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

Moved by Trustee Even, seconded by Trustee Hartung that the Zoning Board Meetings be scheduled for the fourth Wednesday after the first Tuesday of the month at 7:00 p.m. The meeting times and dates can also be found on the Village Website calendar.

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

Moved by Trustee Popek, seconded by Trustee Even that Community Bank and NYCLASS be designated as the official depositories for the Village of Orchard Park for the fiscal year 2026-2027.

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

Moved by Trustee Hartung, seconded by Trustee Popek that the Southtowns Bee be named the official newspaper and the Buffalo News be named the alternate official newspaper for the Village of Orchard Park for the fiscal year 2026-2027.

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

Moved by Trustee Even, seconded by Trustee Hartung that the mileage rate be set for the fiscal year 2026-2027 at .72 1/2 cents per mile.

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

Moved by Trustee Popek, seconded by Trustee Even that when necessary, the Village Justice be authorized to hire a stenographer at a cost up to \$125.00 per hour and/or an interpreter at a cost of up to \$250.00 per appearance, for the fiscal year 2026-2027.

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

Moved by Trustee Hartung, seconded by Trustee Popek that representatives of the Village be authorized to attend Erie County Village Officials meetings and the Association of Erie County Governments meetings, with all expenses incidental to the meetings to be paid by the Village.

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

Moved by Trustee Even, seconded by Trustee Hartung that the Clerk-Treasurer and Deputy Clerk-Treasurer be authorized to attend Erie County Municipal Administrative Officers Association meetings and the NYCOM and OSC Fall Training School with all expenses incidental to the meetings to be paid by the Village.

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

Moved by Trustee Popek, seconded by Trustee Even that an employee of the Village Department of Public Works be authorized to attend the Erie County Town Highway Superintendents Association meetings and the Village Public Works and Streets Superintendents meetings with all expenses incidental to the meetings to be paid by the Village.

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

Moved by Trustee Hartung, seconded by Trustee Popek that two Department of Public Works employees be authorized to attend NYCOM Public Works School, the Western New York Stormwater Conference and the N.Y.S. Rural Water School, with all expenses incidental to the schools to be paid by the Village.

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

Moved by Trustee Even, seconded by Trustee Hartung that the Code Enforcement Officer be authorized to attend the Niagara Frontier Building Officials meetings and Annual Building Officials Training Conference with all expenses incidental to the meetings to be paid by the Village.

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

Moved by Trustee Popek, seconded by Trustee Even that the following policies of the Village have been reviewed and there will be no revisions:

- Code of Ethics
- Procurement Policy
- Investment Policy
- Time Keeping Policies
- Vehicle Policy
- Building Energy Benchmark Policy

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

This concluded the Organizational Meeting.

A Public Hearing was scheduled and advertised for this time to hear public comment on the Village of Orchard Park Comprehensive Plan. Ed Flynn of LaBella Associates presented a powerpoint slideshow of the proposed plan. Mayor Clinton opened the public hearing at 7:10 p.m.

Mayor Clinton asked three times for comments in support of the proposed budget. There were none.

Mayor Clinton asked three times for comments in opposition of the proposed budget. There were none.

Trustee Popek expressed her concern regarding the cost of future maintenance for some of the ideas proposed in the Comprehensive Plan. Mayor Clinton explained that the ideas in the plan are conceptual and funding is factored into the overall cost including using potential grant monies.

Moved by Trustee Popek, seconded by Trustee Even that the Comprehensive Plan hearing be closed at 7:12 p.m.

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

Mayor Clinton provided a review of the State Environmental Quality Review (SEQR) forms submitted as a requirement for the Comprehensive Plan.

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

WHEREAS, in accordance with the New York State Environmental Quality Review regulations (SEQR), the Village of Orchard Park announced its intent to serve as Lead Agency on March 10, 2026, to conduct an environmental review of the Village of Orchard Park Comprehensive Plan.

1. The Village Board has determined that the proposed action is a “Type I” as defined under SEQR.
2. The Village Board, in its capacity of Lead Agency, has caused to be prepared an environmental assessment of the significance of and potential environmental impact of the action described above.
4. On March 10, 2026, the Village notified the Involved and Interested Agencies of its intention to act as Lead Agency for this project and circulated Part 1 of the Long Environmental Assessment Form.
5. Any comments received on the project have been addressed in Part 2 of the Environmental Assessment Form.
6. The Village Board has considered the Environmental Record prepared for this action, including any comments received from the Involved Agencies, and the proposed Negative Declaration.

NOW THEREFORE BE IT RESOLVED, the Village Board of the Village of Orchard Park declares that, based on the Environmental Record which has been prepared, the project will result in no major impacts and, therefore, will not cause significant damage to the environment. A Negative Declaration under SEQR is therefore issued for this project.

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

Moved by Trustee Even, seconded by Trustee Hartung that:

WHEREAS, the Village of Orchard Park Village Board identified that a Comprehensive Plan was needed to properly plan for growth and development, protect the environment and enhance the health, safety and welfare of the community and residents; and

WHEREAS, the Village Board appointed a Comprehensive Plan Steering Committee and charged it with creating a Comprehensive Plan; and

WHEREAS, multiple Open Houses and a final public meeting were held regarding the Comprehensive Plan; and

WHEREAS, the draft Comprehensive Plan Update was made available on the Village’s website for examination and review by the public; and

WHEREAS, the Village Board provided public notice and held a public hearing on April 13, 2026, to hear and consider all public comments on a Final Draft Comprehensive Plan; and

WHEREAS, the adoption of a land use plan is considered a Type I action that is subject to environmental review pursuant to 6 NYCRR 617 (State Environmental Quality Review Act - SEQRA) of the New York State Environmental Conservation Law; and

WHEREAS, the Village Board circulated a Notice of Intent to serve as SEQR Lead Agency to all involved and interested agencies on March 10, 2026, including a completed Full Environmental Assessment Form (FEAF) Part I; and

WHEREAS, the Village Board concluded that adoption of the Comprehensive would not result in any significant adverse impacts and issued a negative declaration on April 13, 2026; and

WHEREAS, the Comprehensive Plan was referred for comment to the Erie County Planning Board consistent with NYS General Municipal Law 239; and,

WHEREAS, the Village Board of the Village of Orchard has final review and approval authority for adoption of the Comprehensive Plan as per New York State Village Law 7-722;

NOW THEREFORE BE IT RESOLVED, after full consideration of all public comments received and a review of the record of documents and research for this Action, the Village formally adopts the Final Comprehensive Plan, dated April 2026;

BE IT FURTHER RESOLVED, the Village Board directs the Village Clerk to make the Final Comprehensive Plan available on the Village website and in the Village Clerk's office.

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

A Public Hearing was scheduled and advertised for this time to hear public comment on the proposed 2026-2027 tentative budget.

Mayor Clinton opened the budget hearing at 7:19 p.m. and highlighted some of the important aspects of the tentative budget, including:

- Tax Rate of \$5.77 from \$5.60, an increase of \$.17 cents per thousand of assessed value
- Garbage fee increase of \$3 to \$275 from \$272 per year (\$.06 per week increase)
- Updated water meter reading software that was no longer supported
- Milling and paving Village streets (Woodland Dr., Anthony Pl., Orchard Ter., and Eddy Ln.)
- Mandated NYS Water Service Line Inventory
- Increased insurance rates and fuel costs

Mayor Clinton asked three times for comments in support of the proposed budget. There were none.

Mayor Clinton asked three times for comments in opposition of the proposed budget. There were none.

Moved by Trustee Popek, seconded by Trustee Even that the tentative budget hearing be closed at 7:20 p.m.

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

Moved by Trustee Hartung, seconded by Trustee Popek that the budget for the fiscal year 2026-2027 be adopted as presented.

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

Moved by Trustee Even, seconded by Trustee Hartung to accept the minutes of March 23, 2026 as presented.

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

Moved by Trustee Hartung, seconded by Trustee Popek that vouchers numbering 8262 to 8294 in batch #288 of fiscal year 2025-2026 in the amount of \$62,480.76 and vouchers numbering 8295 to 8296 in batch #289 of fiscal year 2025-2026 in the amount of \$47,208.90 be paid as presented.

On the question: 3 voting "Aye" 0 voting "Nay" Carried
Trustee Hartung
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 Village Justice, Water Department and Treasurer for the month of March be received and filed.

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

Code Enforcement Officer Gullo had nothing to report.

Manager of Public Works Wittmeyer noted that the asphalt plants have just opened for the season and they will begin addressing potholes throughout the Village. He also wanted to let residents know that the Village DPW does not use any pesticides for weed or insect control.

Trustee Popek thanked the DPW for addressing the potholes.

Trustee Hartung had nothing to report.

Trustee Even thanked the community members in the audience for coming out tonight and providing their input, comments and concerns on the Village's Comprehensive Plan.

Clerk-Treasurer Richeal had nothing to report.

Attorney Bailey had nothing to report.

Mayor Clinton had nothing to report.

Moved by Trustee Even, seconded by Trustee Hartung authorizing the annual Newsletter and Water Quality Report to be mailed to property owners with their 2026-2027 Village Tax Bill.

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

Moved by Trustee Popek, seconded by Trustee Even authorizing Mayor Clinton to sign the Employee Memorandum of Understanding and Administrative Policy for the fiscal year 2026-2027.

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

Moved by Trustee Hartung, seconded by Trustee Popek that a public hearing be scheduled and advertised for April 27, 2026 at 7:00 p.m. to hear public comment on the annual MS4 Annual Report.

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

Moved by Trustee Even, seconded by Trustee Hartung that a public hearing be scheduled and advertised for April 27, 2026 to review a Special Use Application at 4214 N. Buffalo St. The applicant is requesting permission to create 2 dwelling units on the second floor for short-term rentals.

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

Moved by Trustee Popek, seconded by Trustee Even that a public hearing be scheduled and advertised for April 27, 2026 to review a Special Use Application at 6390 W. Quaker St. The applicant is requesting permission to convert an existing space into a dwelling unit.

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

Moved by Trustee Hartung, seconded by Trustee Popek that the following budget adjustments be authorized for fiscal year 2025-2026:

Increase Budget for:

Central Printing and Mailing	(AA-61670-400)	\$1,433.46
Personal Service (Central Garage)	(AA-61640-100)	\$300.95
Materials and Supplies	(FF-68340-403)	\$353.25

Decrease Budget for:

Village Hall (Contractual)	(AA-61620-400)	\$1,433.46
Personal Service (Clerical)	(AA-65010-110)	\$300.95

Office Expense (FF-68340-406) \$353.25

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

The next regular meeting is scheduled for April 27, 2026.

Moved by Trustee Hartung, seconded by Trustee Even to adjourn at 7:27 p.m.

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

Respectfully submitted,
Heather Tucciarone-Richeal, Village Clerk-Treasurer