

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 27, 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 David N. Even

Others present:

Deputy Clerk-Treasurer Shannon Atkinson
Code Enforcement Officer John Gullo
Manager of Public Works Emery Wittmeyer
Attorney John C. Bailey

Members Excused:

Trustee Christine M. Popek

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 annual MS4 Stormwater Management Report. Mayor Clinton opened the meeting at 7:01 p.m., offering copies of the report and public comment form on the front 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 Even, seconded by Trustee Pyne to close the hearing at 7:02 p.m.

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

Moved by Trustee Hartung, seconded by Trustee Even that MS4 Annual Report be filed as presented.

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

Trustee Pyne
Trustee Even

Mayor Clinton called forward Cody Michels, applicant for the Special Use Application for 4214 North Buffalo Street. Mayor Clinton and Trustee Hartung asked about the overdue backflow report and if there were any plans to have this complete. Cody said that he will be making plans, but did not have a definite date scheduled. Mayor Clinton stated the Special Use Application will be put off until the next meeting on May 11th, due to the lateness of the backflow.

A public hearing was scheduled and advertised for this time to hear public comments on a Special Use Application by Seemore Outdoor Media, LLC to convert an existing space to create a dwelling unit.

Mayor Clinton opened the public hearing at 7:02 p.m. and asked for a representative of the petitioner to explain the request.

- Mike Lukaszewski and Andrew Gernold appeared for the application. Mike Lukaszewski explained that this space would be a 12-month rental. They did parking calculations and there is enough space on site.
- Trustee Hartung asked Code Enforcement Officer Gullo if this went to the Planning Board. Code Enforcement Office Gullo said it went to planning and was approved with no issues.

Mayor Clinton asked three times for comments in favor of the Special Use Request.

A letter was brought forward and read aloud by Deputy Clerk-Treasurer Atkinson in favor of the request from Jack and Susie Flatau (28 North Lincoln Avenue).

Mayor Clinton asked three times for comments opposing the Special Use Request.

Moved by Trustee Hartung, seconded by Trustee Even that the public hearing be closed at 7:07 p.m.

On the question:	3 voting "Aye" Trustee Hartung Trustee Pyne Trustee Even	0 voting "Nay"	Carried
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Moved by Trustee Even, seconded by Trustee Hartung to approve the Special Use Application by Seemore Outdoor Media, LLC to convert an existing space into a dwelling unit.

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

Moved by Trustee Hartung, seconded by Trustee Even to accept the minutes of April 13, 2026 as presented.

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

Moved by Trustee Hartung, seconded by Trustee Even that voucher numbering 8297 in batch #290 of fiscal year 2025-2026 in the amount of \$110.00 and vouchers numbering 8298 to 8326 in batch #291 of fiscal year 2025-2026 in the amount of \$111,035.13 be paid as presented.

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

There was one comment from the floor of items not on the agenda.

Kathy Foster (15 Melberry Trail) – Resident for the Town of Orchard Park. Wanted to know why garbage is different and residents were not notified. The Village Board informed Kathy that this is a Village meeting, not a Town, so she will need to contact Town Engineering Department and passed along their number.

Code Enforcement Officer Gullo – May is building safety month. Safe homes build strong communities.

Manager of Public Works Wittmeyer – Potholes are currently being patched in the Village and brush is continuing to be picked up.

Trustee Hartung had nothing to report.

Trustee Pyne had nothing to report.

Trustee Even had nothing to report.

Deputy Clerk-Treasurer Atkinson had nothing to report.

Attorney Bailey had nothing to report.

Mayor Clinton had nothing to report.

Moved by Trustee Even, seconded by Trustee Pyne authorizing Mayor Clinton to sign a Special Event Contract with Runner’s Roost to organize a Quaker Dash 5k race on July 24, 2026 at 6:30 p.m.

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

Moved by Trustee Hartung, seconded by Trustee Even authorizing Mayor Clinton to sign a Special Event Contract with and with the Orchard Park Little League to organize an opening day parade on May 9, 2026 at 9:00 a.m.

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

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

Increase budget for:

Pump Station Source of Supply	FF-68320-400	\$31,809.52
Materials and Supplies	FF-68340-403	\$96.60
Office Expense	FF-68310-401	\$79.97

Increase revenue for:

Metered Water Sales	FF-42140-000	\$31,809.52
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Decrease budget for:

Gas and Oil	FF-68340-405	\$96.60
Water Administration	FF-68310-400	\$79.97

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

Cody Michels came back to the board and informed them that the backflow device has been scheduled for May 5th and it will be complete at that date. Due to the backflow test date being scheduled, the public hearing began.

A public hearing was scheduled and advertised for this time to hear public comment on a Special Use Application by Cody Michels to add two (2) short-term rental dwelling units on the second floor of 4214 North Buffalo Street, SBL# 162.17-1-6.

Mayor Clinton opened the public hearing at 7:15 p.m. and asked for a representative of the petitioner to explain the request.

- Cody Michels spoke about the renovation at 4214 North Buffalo Street. He had a photo of the building from 1836 as well as a current photo. The lower half of the building will remain retail space, and the upper portion will be 2 Airbnbs. These will be hosted by himself and will drive more traffic to the Village of Orchard Park.
- Trustee Hartung asked Code Enforcement Officer Gullo if this went to the Planning Board. Code Enforcement Office Gullo said that it did go to planning and it was approved with no further questions.

Mayor Clinton asked three times for comments in favor of the Special Use Request. There were none.

Mayor Clinton asked three times for comments opposing the Special Use Request. There were none.

Moved by Trustee Pyne, seconded by Trustee Hartung that the public hearing be closed at 7:17 p.m.

On the question:	3 voting “Aye” Trustee Hartung Trustee Pyne Trustee Even	0 voting “Nay”	Carried
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Moved by Trustee Even, seconded by Trustee Pyne to approve the Special Use Application by Cody Michels to establish tow (2) short-term rental units at 4214 North Buffalo Street, subject to backflow prevention device testing being complete on May 5th, 2026 and subject to an annual review by the Village Board to determine if there are any concerns or issues related to its operation. The Village Board reserves the right to revoke or modify the permit if warranted based on such review.

On the question:	3 voting “Aye” Trustee Hartung Trustee Pyne Trustee Even	0 voting “Nay”	Carried
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The next regular meeting is scheduled for May 11, 2026.

Moved by Trustee Even, seconded by Trustee Hartung to adjourn at 7:21 p.m.

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

Respectfully submitted,

Shannon Atkinson, Deputy Village Clerk-Treasurer