

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, September 14, 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
Trustee Christine M. Popek

Others present:

Part-Time Clerk Marie Falzone
Code Enforcement Officer John Gullo
Attorney John C. Bailey

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.”

A public hearing was scheduled and advertised for this time to hear public comment on a Special Use application by Gregory Wollen to establish a short-term rental at 4957 Ellicott Road, SBL #173.69-1-9.

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

- Mr. Wollen explained that this was a vacant property and not being used. He researched his best option for utilizing the property and felt that a rental income property was the best option. He plans to advertise through AirBNB with a 2- night minimum and all renters will have his direct contact information. He lives across the street and will be personally keeping an eye on the property. Mr. Wollen stated that he'd like to focus on Bills games and it will be a family friendly rental. Renters will be liable for any damages and any rule violators will be removed.

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

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

Code enforcement officer Gullo noted that he will complete a Fire Safety Inspection and there will be an annual inspection required with the Special use renewal.

Moved by Trustee Popek, seconded by Trustee Even to close the hearing at 7:08 p.m.

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 to approve the Special Use request by Gregory Wollen, to establish a short-term rental at 4957 Ellicott Road., 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:	4 voting “Aye”	0 voting “Nay”	Carried
	Trustee Hartung		
	Trustee Pyne		
	Trustee Even		
	Trustee Popek		

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 194, entitled “Taxation”. Mayor Clinton opened the meeting at 7:10 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 7:12 p.m.

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 to approve Local Law #14 of 2026 as presented:

Section 1:

Article 11. Senior Citizens Exemption

§194-15. Grant of Exemption

A. Real property in the Village of Orchard Park owned by one or more persons, each of whom is 65 years of age or over, or real property owned by husband and wife or owned by siblings, one of whom is 65 years of age or over, shall be exempt from taxation by the Village to the extent of 50% of the assessed valuation thereof. Such exemption shall be computed after all other partial exemptions allowed by law have been subtracted from the total amount assessed.

B. The real property tax exemption on real property owned by husband and wife, one of whom is 65 years of age or over, once granted, shall not be rescinded by the Village solely because of the death of the older spouse so long as the surviving spouse is at least 62 years of age.

Section 2:

§194-17. Graduated income schedule.

Pursuant to §467 of the Real Property Tax Law and notwithstanding the provisions of §194-16A, the maximum income exemption eligibility level of the Village shall be increased as provided in the following schedule:

Annual Income Taxation	Percentage of Assessed Valuation Exempt from
Income up to and including \$19,500	50%
More than \$19,500 but less than \$20,500	45%
More than \$20,500 but less than \$21,500	40%
More than \$21,500 but less than \$22,500	35%
More than \$22,500 but less than \$23,400	30%
More than \$23,400 but less than \$24,300	25%
More than \$24,300 but less than \$25,200	20%
More than \$25,200 but less than \$26,100	15%
More than \$26,100 but less than \$27,000	10%
More than \$27,000 but less than \$27,900	5%

Section 3: Effective Date

This Local Law shall take effective immediately upon filing with the Secretary of State.

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 Hartung, seconded by Trustee Even to accept the minutes of August 10, 2026 as presented.

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 Hartung, seconded by Trustee Even that vouchers numbering 8542 to 8565 in batch #305 of fiscal year 2026-2027 in the amount of \$89,416.03 and vouchers numbering 8566 to 8585 in batch #306 of fiscal year 2026-2027 in the amount of \$56,617.51 be paid as presented.

On the question:	4 voting “Aye” Trustee Hartung Trustee Pyne Trustee Even Trustee Popek	0 voting “Nay”	Carried
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Comments from the floor of items not on the agenda:

- Dr. Andrew Sacks, 102 Meadowbrook Rd., spoke about his concerns regarding the deer population including ticks, illness and accidents. He suggested possibly using bait and kill professional.

- Mayor Clinton indicated that she has already had conversations with Town Supervisor Liberti about this issue and noted that municipalities are required to follow NYS mandates and DEC regulations. She hopes to have more information in the next month and hopefully a potential solution as well.

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

On the question:	4 voting “Aye” Trustee Hartung Trustee Pyne Trustee Even Trustee Popek	0 voting “Nay”	Carried
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Code Enforcement Officer Gullo reminded property owners that a fence permit is required if a fence is being removed and replaced.

Trustee Popek attended the recent Tree Conservation meeting and nothing discussed would pertain to or affect the Village.

Trustee Hartung noted that road closures and special events permits do require police notification.

Trustee Pyne had nothing to report.

Trustee Even had nothing to report.

Attorney Bailey had nothing to report.

Mayor Clinton had nothing to report.

Moved by Trustee Even, seconded by Trustee Hartung that the Village of Orchard Park Code, Chapter A232, Fees, be amended as follows:

Chapter 92, Building Code Administration and Enforcement	Fee
Board of Appeals	\$175
Special exception	\$150
Re-roof permit, residential	\$10
Re-roof permit, commercial	\$100

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

Moved by Trustee Pyne, seconded by Trustee Hartung that Mayor Clinton be authorized to sign a Special Event Contract with The Active You to organize a Howl-O-Weenie 5K at 11:00 am on October 17, 2026.

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 that Mayor Clinton be authorized to sign a Special Event Contract with OP Social Tap & Grille to host an 11 Year Anniversary Party from 5:00-9:00 p.m. in the rear parking lot at 4247 N. Buffalo St

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 a public hearing be scheduled and advertised for September 28, 2026 at 7:00 p.m. to hear public comment on a Special Use application by Nikole Garrison to establish a short-term rental at 6935 East Quaker Street, SBL #162.18-1-35.

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 the following:

WHEREAS, the Village of Orchard Park recognizes the importance of thoughtful, responsible, and effective land-use planning and development within the communities of Erie County; and

WHEREAS, the Village of Orchard Park believes that land-use decisions are most appropriately considered and made at the local level by the municipalities directly affected by those decisions; and

WHEREAS, the proposed creation of a county-wide planning board would establish an additional layer of government and could unnecessarily complicate the land-use approval process, create duplication of governmental functions, and diminish the authority and responsibility currently vested in local municipalities; and

WHEREAS, local elected officials, municipal planning boards, zoning boards of appeals, municipal staff, and residents possess a unique understanding of the character, history, needs, priorities, infrastructure, and long-term goals of their individual towns and villages; and and property owners who must ultimately live with the results of those decisions;

NOW, THEREFORE, BE IT RESOLVED, that the Village of Orchard Park Board of Trustees hereby formally opposes the creation of a county-wide planning board that would add another layer of governmental oversight or diminish the existing planning and land-use authority of towns and villages; and

BE IT FURTHER RESOLVED, that the Village of Orchard Park Board of Trustees affirms its support for local control and local decision-making in matters of land use, zoning, planning, and community development; and

BE IT FURTHER RESOLVED, that the Village of Orchard Park encourages continued cooperation and communication among municipalities and Erie County on matters of regional significance while preserving the authority of local governments to make decisions based upon the unique needs, character, and long-term goals of their respective communities; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the appropriate Erie County officials, elected representatives, municipal governments, and other interested parties to formally communicate the Village of Orchard Park's opposition to the proposed county-wide planning 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 Even the following:

WHEREAS, the Orchard Park Village Court is seeking funding through the Justice Court Assistance Program for the 2026–2027 grant cycle; and

WHEREAS, the Orchard Park Village Court is in need of renovations and improvements to the courtroom to enhance its appearance, functionality, and safety; and

WHEREAS, the proposed renovations and improvements include the installation of new paneling in the courtroom area, replacement of the flooring, and upgrades to the courtroom audio/visual system; and

WHEREAS, the Justice Court Assistance Program requires a resolution from the governing body authorizing the Orchard Park Village Court to apply for grant funding;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Orchard Park hereby authorizes the Orchard Park Village Court to apply for funding through the Justice Court Assistance Program for the 2026–2027 grant cycle, in an amount not to exceed \$30,000.00, for the purposes described herein; and

BE IT FURTHER RESOLVED, that the appropriate Village officials are hereby authorized to execute and submit any documents necessary to complete the grant application and, if awarded, to administer the grant in accordance with all applicable requirements.

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 September 28, 2026.

Moved by Trustee Hartung, seconded by Trustee Even to adjourn at 7:28 p.m.

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

Respectfully submitted,

Marie E. Falzone, Part-Time Clerk