

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, June 24, 2024 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
Deputy Mayor Matthew J. Hartung
Trustee Lauren Kaczor Rodo
Trustee Dale T. Pyne
Trustee David N. Even

Others present:

Clerk-Treasurer Mary Beth Jensen
Manager of Public Works Wittmeyer
Attorney Philip M. Marshall
Code Enforcement Officer John Gullo

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 Kaczor Rodo, seconded by Trustee Hartung to accept the minutes of June 10, 2024 as presented.

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

Moved by Trustee Hartung, seconded by Trustee Kaczor Rodo that the vouchers numbering 7054 to 7075 in Batch #226 of fiscal year 2024-2025 in the amount of \$81,603.10 be paid as presented.

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

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

Reports:

- Code Enforcement Officer John Gullo wished everyone a Happy 4th of July.
- Manager of Public Works Wittmeyer had nothing to report.
- Trustee Kaczor Rodo had nothing to report.
- Deputy Mayor Hartung cautioned walkers in the Village to be cautious during the ongoing construction project by the NYSDOT.
- Trustee Pyne is looking forward to the 4th of July parade and fireworks.

- Trustee Even reported that the committee is looking for scoopers for the upcoming Ice Cream Social.
- Clerk Treasurer Jensen had nothing to report.
- Attorney Marshall had nothing to report.
- Mayor Clinton reported that the 4th of July parade will begin at 8pm, starting at the High School and ending at the Middle School; followed by fireworks at dusk.

Moved by Trustee Even, seconded by Trustee Kaczor Rodo that
WHEREAS, the Orchard Park Village Board of Trustees desires to adopt a Complete Streets Policy for the Village of Orchard Park; and

WHEREAS, the Complete Streets Act (Chapter 398, Laws of New York) was signed into law on August 15, 2011 and requires state, county and local agencies to consider the convenience and mobility of all users when developing transportation projects that receive state and federal funding; and

WHEREAS, this initiative presents an opportunity to collaborate with bicyclists, walkers, bikers, elderly and people with disabilities to identify best practices and designs for transportation; and

WHEREAS, the Village of Orchard Park Complete Streets Policy will encourage the development of a Complete Streets network throughout the community to create a more balanced and complete transportation system; and

WHEREAS, the Village of Orchard Park recognizes the importance of planned and designed roadways that consider safety, convenient access and mobility of all roadway users in order to establish the Village of Orchard Park as a safe and accessible community by improving bicycle and pedestrian friendliness and implementing traffic calming measures through consistent public realm design standards; and

WHEREAS, the Village of Orchard Park shall plan for, design, construct, operate and maintain appropriate facilities for all transportation users, including but not limited to bikers, walkers, runners, public transportation patrons and motorists, in all new construction, retrofit and reconstruction projects. The policy shall ensure that new and updated projects both public and private are planned, designed and maintained to enable safe comfortable and convenient travel to the greatest extent possible for users of all ages and abilities; and

WHEREAS, streets that integrate multiple transportation choices for pedestrians, bicyclists and motorists contribute to the public life of a community and sustain economic development and efficient movement of people and goods; and

WHEREAS, as stated in the Act, Complete Streets will contribute to a “cleaner, greener transportation system” and “more citizens will achieve the health benefits associated with active forms of transportation while traffic congestion and auto related air pollution will be reduced.”; and

WHEREAS, the Village of Orchard Park shall, to the maximum extent practical, scope, plan, design, construct, operate and maintain all streets to provide a comprehensive and integrated network of facilities for all users of all abilities; and

WHEREAS, any exception to applying this Complete Streets Policy to a specific roadway project must be approved by the Orchard Park Village Board of Trustees with documentation of the reason for the exception and allowing time for public comment; and

WHEREAS, this policy will create a complete, comprehensive, integrated, connected transportation network for the Village of Orchard Park that balances access, mobility, health and safety needs for all residents, including those without access to a vehicle and those furthest from the business district. Planning, funding, designing, constructing, managing and maintaining a complete multi-modal network, ensures this; and

WHEREAS, it is the intent of this policy to foster partnerships with the state, county, school district, citizens, businesses, interest groups and neighborhoods to implement complete streets; and

WHEREAS, the Village of Orchard Park shall adapt, develop and adopt departmental policies, design criteria, standards and guidelines based upon recognized best practices in street design, construction and operations including, but not limited to,

- Blue Zone LLC
- Small Town and Rural Multimodal networks (FHWA)
- Separated bike Lane Planning and Design Guide (FHWA)
- Achieving Multimodal Networks: Applying Design Flexibility and Reducing conflicts (FHWA)
- Guide for the Planning, Design, and Operation of Pedestrian Facilities (AASHTO)
- Guide for the Development of Bicycle Facilities (AASHTO)
- A Guide for Achieving Flexibility in Highway Design (AASHTO)
- Designing Walkable Urban Thoroughfares: A Context Sensitive Approach: An ITE Recommended Practice (ITE)
- Urban Street Design Guide (NACTO)
- Urban Bikeway Design Guide (NACTO)
- Urban Street Stormwater Design Guide (NACTO)
- Public Rights-of-Way Accessibility Guidelines (PROWAG) (United States Accessibility Guidelines)

; and

WHEREAS, the implementation of this policy shall reflect the context and character of the surrounding built and natural environments while enhancing the appearance of such. In doing so, the Village of Orchard Park shall consider methods of providing development flexibility within safe design parameters such as context-sensitive design solutions and shall attempt to employ all solutions consistent with and sensitive to the context of the project; and

NOW THEREFORE BE IT RESOLVED that the following policy be adopted by the Village of Orchard Park Board of Trustees:

- The Village of Orchard Park shall establish an interdepartmental Advisory Committee to oversee the implementation of this policy. The committee will include members of the Village Board of Trustees, the Village Planning Board, the Village Building Department and Village Department of Public Works, as well as any organization deemed relevant. The Committee will provide a written report, evaluating progress and advising on implementation.

- The Village of Orchard Park will incorporate complete street principles into the comprehensive plan and zoning code.
- The Village of Orchard Park will train all pertinent staff on the content of the complete streets principles and best practices for implementing the policy.
- The Village of Orchard Park will utilize inter-departmental project coordination to promote the most responsible and efficient use of fiscal resources for activities that occur within the public right of way.
- The Village of Orchard Park will create and adopt a Complete Streets Design Manual to support implementation of this policy.
- The Village of Orchard Park will actively seek sources of appropriate funding to implement complete streets, such as Community Development Block Grant funding that the Village utilized for an ADA Sidewalk Ramp Improvement Project.
- Exceptions may be approved by the Village Board of Trustees, when:
 - Submitted for review, stipulating one of the following reasons for exception:
 - Project where the cost of the accommodation is excessively disproportionate to the need or probable use.
 - There is a documented absence of current and future need.
 - A reasonable or equivalent project along the same corridor is already programmed to provide facilities exempted from the project at hand.
 - Routine and emergency repairs that do not change the roadway geometry or operations.
 - Are made available to the public for comment for at least 30 days.
- Complete Streets should be continuously evaluated for success and opportunities for improvement sought. This policy encourages the regular evaluation and reporting of implementing complete streets through the following performance measures:
 - Compliments and complaints
 - Miles of bike lanes built or striped
 - Number of street trees planted
 - Number of building permits issued along new complete street
 - Number of exemptions from this policy
 - Travel time reports in key corridors
 - Bike route connections to off-road trails
 - Sidewalk condition ratings
 - Building vacancy rates
 - Number of students who bike or walk to school

On the question: 4 voting "Aye" 0 voting "Nay" Carried

Trustee Hartung
Trustee Kaczor Rodo
Trustee Pyne
Trustee Even

Moved by Trustee Kaczor Rodo, seconded by Trustee Hartung, that pursuant to the Uniform Justice Court Act §2019(a) the Village Board has completed an audit of the records of the Village Justice and found them to be properly accounted for and in order.

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

Moved by Trustee Hartung, seconded by Trustee Pyne that the bid for creation of a Comprehensive Plan for the Village of Orchard be awarded to LaBella Associates with a bid of \$72,060; considering their experience with Villages and success rate in NY Forward applications.

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

Moved by Trustee Pyne, seconded by Trustee Even that Mayor Clinton be authorized to sign a contract for the following Special Event with:

- St John's Lutheran Church to organize a Vacation Bible School Summerfest Church Picnic from July 8 through July 14, 2024.

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

Moved by Trustee Even, seconded by Trustee Kaczor Rodo that a public hearing be scheduled and advertised for July 8, 2024 at 7:00 pm to hear public comment on a Local Law amending the Code of the Village of Orchard Park, Chapter 225, "Zoning".

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

Moved by Trustee Kaczor Rodo, seconded by Trustee Hartung that Mayor Clinton be authorized to sign a 5-year Parking Agreement with 6506 E Quaker Re, LLC.

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

The next regular meeting is scheduled for July 8, 2024.

Moved by Trustee Hartung, seconded by Trustee Pyne to adjourn at 7:12 pm.

On the question: 4 voting "Aye" 0 voting "Nay" Carried

Trustee Hartung
Trustee Kaczor Rodo
Trustee Pyne
Trustee Even

Respectfully submitted,
Mary Beth Jensen, Village Clerk-Treasurer