

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, November 25, 2019 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 Francis T. Hogenkamp
Trustee James C. Cosgrove

Others present:

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

Members excused:

Trustee Jonathan E. McNatty

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 proposed Local Law #8, 2019, amending Chapter 187 of the Code of the Village of Orchard Park, Article VII entitled Snowplowing.

Mayor Clinton explained that the amendments to Chapter 187 are due to the issues of plow damage caused by private contractors and unlicensed vehicles that are moving snow. There has been one snowfall this season and issues have already occurred. The revisions in the chapter will allow the Village to address problems with the contractor who cause the damage.

Mayor Clinton outlined the procedure of the public hearing and opened the hearing at 7:03 pm.

Mayor Clinton asked three times if there was anyone who would like to speak on behalf of the proposed Local Law.

- Howard Rost (300 S Lincoln Ave) agrees that sidewalks and roads need to be kept clear. Questioned why the Village needs to issue permits to contractors, shouldn't the Village be contacting the home owner?
 - Mayor Clinton explained that if there is a problem, the homeowner will be notified.
- Jeff Sweet (66 Carrow St) was the Village Building Inspector for many years and commented that the problems that occur are not new. He commended the Village Board for trying to find a resolve, but questioned the need for the revisions to Chapter 187. His comments included:
 - When snow is placed on public right of way and it is a hazard it needs to be removed immediately, revisions to the law give the homeowner 5 days to remove it.
 - Investigation of where the snow came from may not be correct.
 - Undo amount of work for Office Staff.
 - May be viewed as discriminatory by neighborhoods where houses are close to the road.
 - Resources listed to enforce are going to be busy during time when snow is falling.

Jeff Sweet's alternate suggestions included:

- Budgeting for the Village to provide snow removal on problem streets.
- Equip Village plow trucks to record problem situations when they see them, creating time stamped records.
- Educate the public.

Mayor Clinton asked three times for comments opposing the proposed Local Law.

- Hailey Guadagno (4797 Milestrip Rd) asked if the law was only concerned with damage done by plows attached to trucks.
 - Mayor Clinton explained that it also applied to equipment.
- Kevin Moran (55 Princeton Pl) asked if someone who was just helping a neighbor was required to get a permit.
 - Trustee Hartung stated that it did not apply to a neighbor who was helping a neighbor, as long as there was no money collected.

Moved by Trustee Cosgrove, seconded by Trustee Hogenkamp to close the hearing at 7:16 pm.

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

Mayor Clinton offered two options to proceed on this matter, to vote or to table the motion and review the revisions

Moved by Trustee Cosgrove, seconded by Trustee Hogenkamp to table the revisions and new code until the next meeting on December 9, 2019.

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

Moved by Trustee Hartung, seconded by Trustee Cosgrove to accept the minutes of October 28, 2019 as presented.

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

Moved by Trustee Hartung, seconded by Trustee Hogenkamp that the vouchers numbering 3181 to 3227 in Abstract #9 of 2019-2020 in the amount of \$ 168,041.84 be paid as presented.

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

Comments from the floor of items not on the agenda.

- Ryan Patterson (124 Stonehenge Drive) submitted a petition to change the intersection of Stonehenge and Pheasant to an all way stop. He asked where that stood?
 - Mayor Clinton responded that a Public Hearing will be scheduled to address that matter.

Moved by Trustee Hartung, seconded by Trustee Cosgrove that the reports of the Village Justice, Associate Village Justice, Water Department and Treasurer for the month of October be received and filed.

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

- Code Enforcement Officer John Gullo had nothing to report.
- Manager of Public Works Wittmeyer reported that the DPW is picking up leaves and will continue to as long as weather permits.
- Deputy Mayor Hartung
 - reminded residents that leaf trucks are still picking up leaves.
 - reported that the Village parking ban prohibits parking on Village streets from midnight to 7 am starting November 1st to April 1st.
- Trustee Hogenkamp reported on Holiday in the Park, December 7th.
 - On Princeton Place at South Buffalo Street
 - Santa will be at Jack & Gray's
 - Food Trucks
 - Tent with food and activities
 - Hayrides
- Trustee Cosgrove had nothing to report.
- Clerk Treasurer Jensen had nothing to report.
- Attorney Marshall had nothing to report.
- Mayor Clinton
 - Reported on Holiday in the Park
 - Parade at 4:00
 - Tree Lighting at 6:00
 - Performances
 - Decorating contests
 - Thanked the DPW who have been putting up the holiday wreaths.
 - Reviewed a notification from Waste Management regarding cart placement for recycling pickup by automated trucks.

Moved by Trustee Hogenkamp, seconded by Trustee Hartung that a public hearing be scheduled and advertised for January 13, 2020 at 7:00 pm for the purpose of hearing public input on proposed Local Law #1, 2020 amending Chapter 200-4 of the Municipal code of the Village of Orchard Park, Stop Intersections.

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

Moved by Trustee Cosgrove, seconded by Trustee Hogenkamp to revise the previous resolution and authorize Mayor Clinton to sign, submit and execute a contract with Erie County Community Development Block Grant (ECCDBG) program for the following project upon approval of ECCDBG.

1. ADA Sidewalk Ramps

2. Rural Transit Service, Inc.

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

Moved by Trustee Hartung, seconded by Trustee Cosgrove to authorize the following budget adjustments for the fiscal year 2019-2020:

- Increase budget for Payroll account AA-61325-110 by \$ 360.00
- Decrease budget for Payroll account FF-68310-110 by \$ 360.00
- Increase budget for Justice expense account AA-61110-4 by \$ 500.00
- Increase budget for fines and forfeited bail revenue account AA-42610-000 by \$ 500.00
- Increase celebrations expense account AA-67550-100 by \$1400.00
- Increase gifts & donations revenue account AA-42705 by \$1148.50
- Increase interest & penalties revenue account AA-41090 by \$ 251.50

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

Moved by Trustee Hogenkamp, seconded by Trustee Hartung that Code Enforcement Officer Gullo be authorized to attend the Niagara Frontier Building Officials Education Conference January 27-29, 2020, with all expenses incidental to the conference to be paid by the Village.

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

Moved by Trustee Cosgrove, seconded by Trustee Hogenkamp to authorize a parade on Village streets December 7, 2019 at 4pm to kick off the Holiday in the Park celebration. The parade will begin on S Lincoln Avenue at the OPMS, proceeding east on School Street, north on South Buffalo Street crossing over Rt 20A to North Buffalo Street, ending at Princeton Place.

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

The next regular meeting is scheduled for December 9, 2019.

Moved by Trustee Hartung, seconded by Trustee Hogenkamp to adjourn at 7:30 pm.

Respectfully submitted

Mary Beth Jensen
Village Clerk-Treasurer