

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, 2020 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
Trustee Lauren A. Kaczor

Others present:

Clerk-Treasurer Mary Beth Jensen

Mayor Clinton explained that the meeting is being run pursuant to the Governor's order 202.5 and 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 opened the organizational meeting and made the following Trustee/Mayoral duty designations:

- Mayor Clinton
 - Chief Fiscal Officer
 - Budget Director
 - Personnel Officer
 - Business Community Liaison
 - Insurance
 - Town Board Liaison
 - Railroad Bridge Painting Project
- Trustee Hartung
 - Deputy Mayor
 - Planning Board Liaison
 - Youth Liaison
 - Public Works
 - Street Lights, Sidewalks and Signals
 - Public Safety
- Trustee Hogenkamp
 - Beautification
 - Senior Projects
 - NYSEG
 - State & County Liaison
 - Town Tree conservancy Liaison
 - WNY Railway Restoration Project
 - Rails to Trails Liaison

- Trustee Cosgrove
 - Website Review
 - Franchises
 - Solid Waste & Recycling
 - Revenue from outside the Village
 - Policy and Procedure Review
- Trustee Kaczor
 - Master Plan Update
 - Zoning Board Liaison
 - Building Department Liaison
 - Village Code Review
 - Village Events and Celebrations
 - Youth Court

Moved by Trustee Hartung, seconded by Trustee Kaczor that the Mayor's Trustee Duty Designations be approved.

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

Trustee Hogenkamp
Trustee Hartung
Trustee Cosgrove
Trustee Kaczor

Mayor Clinton mad the following 5 year appointments:

Member of the Zoning Board of Appeals – **Steve Snyder**

Member of the Planning Board – **Ronald Gunner Tronolone**

Moved by Trustee Kaczor, seconded by Trustee Hogenkamp that the Mayor's five-year appointments be approved.

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

Trustee Hogenkamp
Trustee Hartung
Trustee Cosgrove
Trustee Kaczor

Mayor Clinton made the following one-year appointments:

Manager of Public Works – **Emery Wittmeyer**

Attorney – **Philip M. Marshall**

Prosecutor – **Nancy Hart**

Code Enforcement Officer – **John Gullo**

Chairman - Zoning Board of Appeals – **Steve Snyder**

Chairman - Planning Board – **Ronald G. Tronolone**

Secretary - Zoning Board of Appeals – **Christine Hanavan**

Alternate members of the Zoning Board of Appeals –**Dave Obrochta**

Member of the Village Zoning Board of Appeals to replace Ann Dillon Flynn who resigned – **Kevin Moran**

Alternate members of the Planning Board – **Monica Bruce**

Dog Control Officers –**Kevin Masterson, Wende Mulawka, and Thomas McCarthy**

Registrar – **Remy Orffeo**

Deputy Registrar - **Kathy Swarbick**

Associate Village Justice – **Sean O'Brien**

Clerk to Village Justice – **Maria Falzone**

Clerk (Court) – **Cynthia Jondle**

Disaster Coordinator – **Rich Mrugalski**

Assistant Disaster Coordinator – **Robert Benning**

Moved by Trustee Hogenkamp, seconded by Trustee Cosgrove that the Mayor's one-year appointments be approved.

On the question: 4 voting "Aye" 0 voting "Nay" Carried
Trustee Hogenkamp
Trustee Hartung
Trustee Cosgrove
Trustee Kaczor

Moved by Trustee Cosgrove, seconded by Trustee Hartung that the regular Village Board meeting for the fiscal 2020-2021 be scheduled for 7:00pm on the second and fourth Monday of each month, with the following exceptions:

- **July, August & December 2020** the Village Board will only meet on the second Monday.

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: 4 voting "Aye" 0 voting "Nay" Carried
Trustee Hogenkamp
Trustee Hartung
Trustee Cosgrove
Trustee Kaczor

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

On the question: 4 voting "Aye" 0 voting "Nay" Carried
Trustee Hogenkamp
Trustee Hartung
Trustee Cosgrove
Trustee Kaczor

Moved by Trustee Kaczor, seconded by Trustee Hogenkamp 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: 4 voting "Aye" 0 voting "Nay" Carried
Trustee Hogenkamp
Trustee Hartung
Trustee Cosgrove
Trustee Kaczor

Moved by Trustee Hogenkamp, seconded by Trustee Cosgrove that Community Bank be designated as the official depository for the Village of Orchard Park for the fiscal year 2020-2021.

On the question: 4 voting "Aye" 0 voting "Nay" Carried
Trustee Hogenkamp
Trustee Hartung
Trustee Cosgrove
Trustee Kaczor

Moved by Trustee Cosgrove, seconded by Trustee Hartung that the Orchard Park Bee be named the official newspaper and the Buffalo News and Orchard Park Sun be named the alternate official newspaper for the Village of Orchard Park for the fiscal year 2020-2021.

On the question: 4 voting "Aye" 0 voting "Nay" Carried
Trustee Hogenkamp
Trustee Hartung
Trustee Cosgrove
Trustee Kaczor

Moved by Trustee Hartung, seconded by Trustee Kaczor that Mayor Clinton be authorized to sign a one-year agreement with Marquis Engineering, retaining their engineering services on an "as needed" basis.

On the question: 4 voting "Aye" 0 voting "Nay" Carried
Trustee Hogenkamp
Trustee Hartung
Trustee Cosgrove
Trustee Kaczor

Moved by Trustee Kaczor, seconded by Trustee Hogenkamp that the mileage rate be set for the fiscal year 2020-2021 at 57.5 cents per mile.

On the question: 4 voting "Aye" 0 voting "Nay" Carried
Trustee Hogenkamp
Trustee Hartung
Trustee Cosgrove
Trustee Kaczor

Moved by Trustee Hogenkamp, seconded by Trustee Cosgrove that the Village Justice be authorized to hire a stenographer when necessary at a cost up to \$100.00 per hour for the fiscal year 2020-2021.

On the question: 4 voting "Aye" 0 voting "Nay" Carried
Trustee Hogenkamp
Trustee Hartung
Trustee Cosgrove
Trustee Kaczor

Moved by Trustee Cosgrove, seconded by Trustee Hartung that representatives of the Village be authorized to attend Erie County Village Officials meetings, the Erie County Governments meetings, the N.Y.S. Conference of Mayors meetings and the Annual Southern Tier West Conference, with all expenses incidental to the meetings to be paid by the Village.

On the question: 4 voting "Aye" 0 voting "Nay" Carried
Trustee Hogenkamp
Trustee Hartung
Trustee Cosgrove
Trustee Kaczor

Moved by Trustee Hartung, seconded by Trustee Kaczor that the Administrator and Deputy Clerk 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: 4 voting "Aye" 0 voting "Nay" Carried
Trustee Hogenkamp
Trustee Hartung
Trustee Cosgrove
Trustee Kaczor

Moved by Trustee Kaczor, seconded by Trustee Hogenkamp 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 and schools to be paid by the Village.

On the question: 4 voting "Aye" 0 voting "Nay" Carried
Trustee Hogenkamp
Trustee Hartung
Trustee Cosgrove
Trustee Kaczor

Moved by Trustee Hogenkamp, seconded by Trustee Cosgrove that two Department of Public Works employees be authorized to attend NYCOM Public Works School to be held in the fall, 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: 4 voting "Aye" 0 voting "Nay" Carried
Trustee Hogenkamp
Trustee Hartung
Trustee Cosgrove
Trustee Kaczor

Moved by Trustee Cosgrove, seconded by Trustee Hartung that the Code Enforcement Officer be authorized to attend the Niagara Frontier Building Officials meetings with all expenses incidental to the meeting to be paid by the Village.

On the question: 4 voting "Aye" 0 voting "Nay" Carried
Trustee Hogenkamp
Trustee Hartung
Trustee Cosgrove
Trustee Kaczor

Moved by Trustee Hartung, seconded by Trustee Kaczor that the Code of Ethics of the Village has been reviewed and there will be no revisions.

On the question: 4 voting "Aye" 0 voting "Nay" Carried
Trustee Hogenkamp
Trustee Hartung
Trustee Cosgrove
Trustee Kaczor

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

- Procurement Policy
- Time Keeping Policies
- Vehicle Policy
- Sexual Harassment Policy

On the question:	4 voting "Aye"	0 voting "Nay"	Carried
	Trustee Hogenkamp		
	Trustee Hartung		
	Trustee Cosgrove		
	Trustee Kaczor		

This concludes the Organizational Meeting.

Mayor Clinton explained that due to the Coronavirus the public was not able to be present at the meeting. Information regarding the meeting was published and information was on the website, including the tentative budget summary. There was an email inquiry asking how to get a copy of the budget if the Village Office was closed. The email response failed. Mayor Clinton explained that information on the budget can be obtained by emailing the Village or calling the Village Office at 662-9327, someone is answering the phone between 10am and 2pm.

Mayor Clinton reviewed capital projects included in the budget: North East Parking Lots, Orchard Terrace, Eddy Lane, W Highland, Crack and Seal program, hydrant replacement, decorative light replacement, and evaluation of the Gaslight District.

The tax rate is \$4.34 per thousand dollar assessed value, which is under the tax cap.

Mayor Clinton opened the budget hearing at 7:13pm. There were no inquiries other than the email mentioned previously.

Moved by Trustee Hogenkamp, seconded by Trustee Cosgrove that the tentative budget hearing be closed at 7:14p.m.

On the question:	4 voting "Aye"	0 voting "Nay"	Carried
	Trustee Hogenkamp		
	Trustee Hartung		
	Trustee Cosgrove		
	Trustee Kaczor		

Moved by Trustee Cosgrove, seconded by Trustee Hartung that the budget for the fiscal year 2020-2021 be adopted as presented.

On the question:	4 voting "Aye"	0 voting "Nay"	Carried
	Trustee Hogenkamp		
	Trustee Hartung		
	Trustee Cosgrove		
	Trustee Kaczor		

Moved by Trustee Hartung, seconded by Trustee Hogenkamp to accept the minutes of March 23, 2020 as presented.

On the question:	4 voting "Aye"	0 voting "Nay"	Carried
	Trustee Hogenkamp		
	Trustee Hartung		
	Trustee Cosgrove		
	Trustee Kaczor		

Moved by Trustee Hartung, seconded by Trustee Cosgrove that the vouchers numbering 3408 to 3426 in Abstract #17 of 2019-2020 in the amount of \$49,283.71 be paid as presented.

On the question:	4 voting "Aye"	0 voting "Nay"	Carried
	Trustee Hogenkamp		
	Trustee Hartung		
	Trustee Cosgrove		
	Trustee Kaczor		

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

Moved by Trustee Hartung, seconded by Trustee Hogenkamp that the report of the Treasurer for the month of March be received and filed.

Mayor Clinton reported that Department Heads were excused from attendance at tonight's meeting.

- The Mayor received a report from Code Enforcement Officer, John Gullo. He has been:
 - Processing permits
 - Backing up archival records
 - Responding to calls and emails
 - Viewing webinars
 - Overseeing projects – everyone seems to be following NYS Executive Orders.
- Manager of Public Works Wittmeyer submitted a report to Deputy Mayor Hartung. The DPW has been
 - Collecting brush and leaves
 - Working with the lighting contractor on new decorative light poles
 - Asks for the public's patience, as his department is understaffed.
- Trustee Kaczor had nothing to report.
- Deputy Mayor Hartung had nothing to report.
- Trustee Hogenkamp expressed that their hearts and prayers go out to those who have lost love ones due to this virus. He urged that we work together for a speedy end to it.
- Trustee Cosgrove had nothing to report.
- Clerk Treasurer Jensen reported that someone is staffing the Village Office from 10-2 daily to answer the phone.
- Mayor Clinton echoed Trustee Hogenkamp's sentiments. She hopes that we are nearing the end of this crisis and things will return to normal sooner than later.

Moved by Trustee Hartung, seconded by Trustee Kaczor that the following budget adjustments be authorized for the Clerk fees fiscal year 2019-2020:

Increase General Fund Expense Budget for:

- Unallocated Insurance by \$6,600.00
- Code Enforcement payroll by \$8,600.00
- Code Enforcement Contractual by \$ 250.00
- Salt \$ 50.00
- Zoning Payroll \$ 430.00
- Planning Payroll \$ 490.00

Decrease the following General Fund Expense Budget for:

- Hospitalization by \$3,500.00
- Longevity pay by \$1,150.00

Increase the following General Revenue Budget for:

- Clerk Fees by \$1,200.00
- Permits by \$6,000.00
- Mortgage Tax by \$4,570.00

Increase Water Fund Expense Budget for:

- Unallocated Insurance by \$1,010.00

Decrease Water Fund Expense Budget for:

- Water Administration Contractual by \$1,010.00

On the question:	4 voting "Aye"	0 voting "Nay"	Carried
	Trustee Hogenkamp Trustee Hartung Trustee Cosgrove Trustee Kaczor		

Moved by Trustee Kaczor, seconded by Trustee Hogenkamp that Clerk-Treasurer Jensen be authorized to pay all vouchers submitted prior to the next meeting, after review by Deputy Mayor Hartung or Mayor Clinton, if necessary.

On the question:	4 voting "Aye"	0 voting "Nay"	Carried
	Trustee Hogenkamp Trustee Hartung Trustee Cosgrove Trustee Kaczor		

Mayor Clinton explained that the Village Board would like to encourage payments be made to the Village on-line during this time of quarantine.

Moved by Trustee Hogenkamp, seconded by Trustee Cosgrove that site fees assessed for credit card and e-check payments be waived beginning immediately through May 31, 2020.

On the question:	4 voting "Aye"	0 voting "Nay"	Carried
	Trustee Hogenkamp Trustee Hartung Trustee Cosgrove Trustee Kaczor		

Moved by Trustee Cosgrove, seconded by Trustee Hartung that Administrator Jensen be authorized to sign a contract with Independent Health for employee health insurance coverage plans for the period June 2020-May 2021.

On the question: 4 voting "Aye" 0 voting "Nay" Carried
Trustee Hogenkamp
Trustee Hartung
Trustee Cosgrove
Trustee Kaczor

Moved by Trustee Hartung, seconded by Trustee Kaczor to authorize Mayor Clinton to sign the Employee Memorandum of Understanding and Administrative Policy for the fiscal year 2020-2021.

On the question: 4 voting "Aye" 0 voting "Nay" Carried
Trustee Hogenkamp
Trustee Hartung
Trustee Cosgrove
Trustee Kaczor

Moved by Trustee Kaczor, seconded by Trustee Hogenkamp authorizing the annual Newsletter and Water Quality Report to be mailed to property owners with their 2020-2021 Village Tax Bill.

On the question: 4 voting "Aye" 0 voting "Nay" Carried
Trustee Hogenkamp
Trustee Hartung
Trustee Cosgrove
Trustee Kaczor

The next regular meeting is scheduled for April 27, 2020.

Moved by Trustee Hogenkamp, seconded by Trustee Hartung to adjourn at 7:22pm.

Respectfully submitted

Mary Beth Jensen
Village Clerk-Treasurer