

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, December 13, 2021 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  
Manager of Public Works Wittmeyer  
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.”

A public hearing was scheduled and advertised for this time to hear public comment on Local Law #6 of 2021, amending Chapter 96 of the Orchard Park Village Code, entitled “Buildings, Unsafe”.

Mayor Clinton opened the public hearing at 7:01 p.m. She explained that the amendment reduces the number of years a building is required to be vacant before the Village can take action from three (3) years to one (1) year.

Mayor Clinton asked (3) three times for comments in favor of the proposed amendment. There were none.

Mayor Clinton asked (3) three times for comments in opposition of the proposed amendment. There were none.

Moved by Trustee Cosgrove, seconded by Trustee Kaczor to close the public hearing at 7:02 p.m.

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 Hartung to adopt the following Local Law Amending Chapter 96 of the Code of the Village of Orchard Park.

Section 1. Amend §96-1 (k) to read:

Any building or structure which remains vacant or without adequate sanitation, light, heat, or water facilities continuously for a period of one year so as to make the building or structure inadequate for human commercial occupancy or habitation.

Section 2. Effective date

This local law shall take effect immediately upon filing with the Secretary of State.

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 Cosgrove to accept the minutes of November 22, 2021 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 that the vouchers numbering 4361 to 4394 in Batch #130 and 131 of fiscal year 2021-2022 in the amount of \$81,103.30 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 Kaczor that the reports of the Village Justice, Water Department and Treasurer for the month of November and the report of the Associate Village Justice for the month of October be received and filed.

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

Trustee Hogenkamp  
Trustee Hartung  
Trustee Cosgrove  
Trustee Kaczor

#### REPORTS:

- Code Enforcement Officer John Gullo wished a Merry Christmas to all and reminded all to keep hydrants clear of snow.

- Manager of Public Works Wittmeyer asked residents to be patient with the debris from the weekend's windstorm. The DPW will continue to pick up leaves and branches until the snow falls.
- Trustee Kaczor wished everyone a happy, healthy and safe New Year.
- Deputy Mayor Hartung wished everyone a Merry Christmas and Happy New Year.
- Trustee Hogenkamp wished everyone a Merry Christmas and Happy New Year.
- Trustee Cosgrove wished everyone a Merry Christmas and Happy New Year.
- Clerk Treasurer Jensen had nothing to report.
- Mayor Clinton reported that the New Year's Eve Ball Drop will be at the Byrd House this year. The Village DPW built a new ball and the event will be in front of the restaurant.

Moved by Trustee Hartung, seconded by Trustee Hogenkamp to approve the following budget adjustments for the fiscal year 2021-2022:

Increase budget for

- Water Transmission and Distribution expense (FF-68340-403) by \$4,800.00
- Miscellaneous Water revenues (FF-42770) by \$4,800.00

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 since there is no second meeting scheduled in December, Clerk-Treasurer Jensen be authorized to pay vouchers submitted to the end of the month.

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 Kaczor that the following resolution be adopted:

WHEREAS, due to an increase by Erie County Water Authority (our source of supply) of the cost of water, it is necessary to increase the rates for water usage, be it RESOLVED, that the following water rates be effective as of January 1, 2022:

For district users - a rate of \$7.68 per one thousand gallons plus an O&M quarterly charge of \$8.00; the minimum quarterly water charge being \$61.76 for seven thousand gallons.

For non-district users - a rate of \$8.51 per one thousand gallons plus and O&M quarterly charge of \$8.00; the minimum quarterly water charge being \$67.57 for seven thousand gallons.

BE IT FURTHER RESOLVED, unpaid charges shall be enforced as provided by Chapter 210 of the Municipal Code of the Village of Orchard Park.

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 Hartung to authorize Mayor Clinton to sign a Joint Use and Occupancy agreement with the Town of Orchard Park.

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 Manager Wittmeyer to declare the Bobcat Toolcat surplus and trade it in for a new Kabota Tractor.

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 January 10, 2021.

Moved by Trustee Hartung, seconded by Trustee Hogenkamp to adjourn.

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

Trustee Hogenkamp

Trustee Hartung

Trustee Cosgrove

Trustee Kaczor

Respectfully submitted,

Mary Beth Jensen

Village Clerk-Treasurer