

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 12, 2022 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 Lauren Kaczor Rodo
Trustee Dale T. Pyne

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.”

Moved by Trustee Kaczor Rodo, seconded by Trustee Pyne to accept the minutes of 11/28/2022 as presented.

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

Moved by Trustee Hartung, seconded by Trustee Kaczor Rodo that the vouchers numbering 6103 to 6128 in Batch #170-171 of fiscal year 2022-2023 in the amount of \$98,480.14 be paid as presented.

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

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

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

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

- Code Enforcement Officer John Gullo wished everyone a Merry Christmas.
- Manager of Public Works Wittmeyer had nothing to report.
- Trustee Kaczor Rodo wished everyone Happy Holidays!
- Deputy Mayor Hartung
 - thanked the Village DPW for getting the holiday decorations up so quickly after the storm.
 - asked Village residents to remove lights and decorations from their Christmas trees before putting them out for collection.
 - Provided contact information for reporting potholes to
 - The Village 716-662-9327
 - Erie County 716-858-7966
 - State 1-800-POT-HOLE
- Trustee Hogenkamp thanked everyone's efforts in the Holiday in the Park event. He thanked Trustee Hartung for donating the tree. He wished all a Merry Christmas and Happy New Year!
- Trustee Pyne wished all a Merry Christmas and Happy New Year!
- Clerk Treasurer Jensen had nothing to report.
- Mayor Clinton reported
 - There is assistance available to households having trouble paying their water bills. Information is available at <https://otda.ny.gov/LIHWAP>. The link is on the Village website.
 - There will be a NYE Ball Drop outside of the Byrd House this year.

Moved by Trustee Kaczor Rodo, seconded by Trustee Hartung that Local Law #7 of 2022, annexation of Property on Jewett Holmwood Rd, SBL# 173.13-1-15.21 and SBL#173.13-1-15.1; and property on Westview Place SBL # 172.08-4-38.2 be adopted:

WHEREAS, pursuant to General Municipal Law Article 17, Petitions were presented to the Village Board of the Village of Orchard Park, New York, for the annexation of certain territories in the Town to the Village of Orchard Park, New York, said territories being described in said petition which is attached hereto for parcels:

- 172.08-4-38.2
- 173.13-1-15.21
- 173.13-1-15.1 and

WHEREAS, a joint hearing of the Village Board of the Village of Orchard Park, and the Town Board of the Town of Orchard Park, was duly held on said petitions for annexation, according to the law in such cases made and provided, on November 16, 2022 at which time all parties interested in the matter were heard and no objections having been presented, and

WHEREAS, the Village Board of the Village of Orchard Park having duly considered said petitions and the evidence presented at said hearing, and

WHEREAS, a resolution having been unanimously approved by the Village Board that the petitions substantially comply in form and content with General Municipal Law Article 17 and that the annexations are in the overall public interest.

NOW, THEREFORE, IT IS ORDERED that the consent and approval of the Village Board of the Village of Orchard Park is hereby given to the annexation of the territories now situated in the Town of Orchard Park to the Village of Orchard Park.

The Village Clerk will file this information with the Town Clerk, County Clerk and Secretary of State.

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 Kaczor Rodo
Trustee Pyne

Moved by Trustee Hartung, seconded by Trustee Hogenkamp that a public hearing be scheduled and advertised for January 9, 2023 at 7:00 p.m. to hear public comment on Local Law #1 of 2023, amending the Code of the Village of Orchard Park, Chapter 225, "Zoning". A copy of the amendment is available in the Village Office.

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

Moved by Trustee Hartung and seconded by Trustee Hogenkamp that a public hearing be scheduled and advertised for January 9, 2023 at 7:00 p.m. to hear public comment on a Special Use Application by Frank Muggia, requesting permission to establish a short-term rental establishment at 27 Clark Street.

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

Moved by Trustee Pyne, seconded by Trustee Kaczor Rodo 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, 2023:

For district users - a rate of \$8.60 per one thousand gallons plus an O&M quarterly charge of \$9.00; the minimum quarterly water charge being \$69.20 for seven thousand gallons.

For non-district users - a rate of \$9.53 per one thousand gallons plus and O&M quarterly charge of \$9.00; the minimum quarterly water charge being \$75.71 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 Kaczor Rodo
Trustee Pyne

Moved by Trustee Kaczor Rodo, seconded by Trustee Hartung to approve the following budget adjustments for the fiscal year 2022-2023:

Increase budget for

- Natural Disasters Payroll by \$12,000.00
- Federal Aid Emergency Disaster Assistance by \$12,000.00

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

Moved by Trustee Hogenkamp, seconded by Trustee Pyne 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, after review by Mayor Clinton or Deputy Mayor Hartung.

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

Moved by Trustee Hartung, seconded by Trustee Hogenkamp that Mayor Clinton be authorized to sign a Special Events Contract with Runner's Roost to organize a 5K Footrace on Village Streets February 18, 2023. The Town of Orchard Park and Orchard Park Police have been notified and proper insurance certificates have been received.

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

Moved by Trustee Hartung, seconded by Trustee Hogenkamp that Mayor Clinton be authorized to sign a Special Events Contract with the Byrd House to organize a New Year's Eve Ball Drop. The Town of Orchard Park and Orchard Park Police have been notified and proper insurance certificates have been received.

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

Moved by Trustee Pyne, seconded by Trustee Kaczor Rodo to authorize an expenditure from the Water Reserve, not to exceed \$200,000 for removal and replacement of existing water valves, is subject to permissive referendum.

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

The next regular meeting is scheduled for January 9, 2023.

Moved by Trustee Hartung, seconded by Trustee Pyne to adjourn at 7:14 p.m.

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

Respectfully submitted,
Mary Beth Jensen, Village Clerk-Treasurer