

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, February 13, 2023 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

Others present:

Clerk-Treasurer Mary Beth Jensen
Manager of Public Works Wittmeyer
Code Enforcement Officer John Gullo

Members excused:

Trustee Dale T. Pyne
Trustee Francis T. Hogenkamp

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 input on proposed Local Law #2, 2023, amending Chapter 194 of the Village Code to include a property tax exemption for Volunteer Firefighters and Ambulance Workers. A Copy of the proposed law was available on the railing.

Mayor Clinton opened the public hearing with a brief explanation of the proposed local law.

Mayor Clinton asked 3 times for comments in support of the proposed law.

- Howard Rost (300 S Lincoln Ave) spoke in favor, commenting that it may recruit new members and also would serve as a thank you from the community.

Mayor Clinton asked 3 times for comments in opposition of the proposed law. There were none.

Moved by **Trustee Hartung**, seconded by **Trustee Kaczor Rodo** to close the hearing at 7:03 p.m.

On the question:	3 voting “Aye”	0 voting “Nay”	Carried
	Mayor Clinton		
	Trustee Hartung		
	Trustee Kaczor Rodo		

Moved by **Trustee Kaczor Rodo**, seconded by **Trustee Hartung** to amend Chapter 194 of the Orchard Park Village Code, adding a Property Tax Exemption for Volunteer Firefighters and Ambulance Workers:

SECTION 1: Adding:

Article VI to Chapter 194 of the Code of the Village of Orchard Park, entitled, “Volunteer

Firefighters and Ambulance Workers Exemption” is hereby enacted pursuant to Real Property Tax law Section 466-a.

SECTION 2: Grant of exemption.

An Exemption of 10% of assessed value of property owned by an enrolled member as set forth below, or such enrolled member and their spouse, is hereby granted from taxation with respect to the real property taxes of the Village of Orchard Park as long as the requirements are met.

SECTION 3: Eligibility requirements.

Such exemption shall be granted to an enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service provided that:

- A. The property is owned by the volunteer firefighter or volunteer ambulance worker;
- B. The property is the primary residence of the volunteer firefighter or volunteer ambulance worker;
- C. The property is used exclusively for residential purposes;
- D. The volunteer firefighter or volunteer ambulance worker resides in the Village of Orchard Park and the Village of Orchard Park is served by such incorporated volunteer fire company, fire department or incorporated voluntary ambulance service;
- E. The volunteer firefighter or volunteer ambulance worker is certified by the authority having jurisdiction as an enrolled member of such an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service; and
- F. The volunteer firefighter or volunteer ambulance worker meets the minimum service requirement established by the Village of Orchard Park, which is hereby established as 5 years.

SECTION 4: Application.

A volunteer firefighter or volunteer ambulance worker must annually, on or before the applicable taxable status date, file an application for such property tax exemption with the assessor responsible for preparing the assessment roll for the Village of Orchard Park, on a form as prescribed by the New York State Commissioner of Taxation and Finance. The Village of Orchard Park must maintain written guidelines, available upon request, as to the requirements of an enrolled volunteer member relating to this exemption.

SECTION 5: Certification.

The Orchard Park Volunteer Fire District must annually file with the assessor, prior to the applicable taxable status date, a list of active volunteer members who are certified to meet the minimum service requirement. Such list must provide, as of the applicable taxable status date, the number of years of service served by each such enrolled member and such enrolled member’s address of residence.

SECTION 6: No diminution of benefits.

An applicant who is receiving any benefit pursuant to Article 4 of the Real Property Tax Law as of the effective date of this article shall not have any of those benefits diminished because of this article.

SECTION 7: Effective date.

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

On the question: 3 voting “Aye” 0 voting “Nay” Carried
Mayor Clinton
Trustee Hartung

Trustee Kaczor Rodo

Moved by Trustee Hartung, seconded by Trustee Kaczor Rodo to accept the minutes of January 23, 2023 as presented.

On the question: 3 voting "Aye" 0 voting "Nay" Carried
Mayor Clinton
Trustee Hartung
Trustee Kaczor Rodo

Moved by Trustee Hartung, seconded by Trustee Kaczor Rodo that the vouchers numbering 6202 to 6235 in Batches #176-178 of fiscal year 2022-2023 in the amount of \$180,999.13 be paid as presented.

On the question: 3 voting "Aye" 0 voting "Nay" Carried
Mayor Clinton
Trustee Hartung
Trustee Kaczor Rodo

Comments from the floor of items not on the agenda:

- Carol Jo Pope (13 Timberlake Dr) was joined by other members of the Garden Club, Mary Ann Agnello and Marguerite Phillips. She spoke on 2 initiatives: Home for a Gnome and No Mow May. Literature was distributed to the Village Board. She asked the Village for support to offset the cost of lawn signs.

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

On the question: 3 voting "Aye" 0 voting "Nay" Carried
Mayor Clinton
Trustee Hartung
Trustee Kaczor Rodo

Reports:

- Code Enforcement Officer John Gullo had nothing to report.
- Manager of Public Works Wittmeyer had nothing to report.
- Trustee Kaczor Rodo had nothing to report.
- Deputy Mayor Hartung had nothing to report.
- Clerk Treasurer Jensen had nothing to report.
- Mayor Clinton had nothing to report.

Moved by Trustee Hartung, seconded by Trustee Kaczor Rodo that due to rising costs and limited availability issues, the 2022 Kenworth T370 cab and chassis previously authorized from Kenworth Northeast Group, on August 9, 2021 for \$87,325 be amended to authorize the purchase of a 2023 Kenworth T480 from Kenworth Northeast Group at a cost not to exceed \$100,000. Additional expenditure from the Reserve for Equipment is subject to permissive referendum.

On the question: 3 voting "Aye" 0 voting "Nay" Carried
Mayor Clinton
Trustee Hartung
Trustee Kaczor Rodo

Trustee Hartung, seconded by Trustee Kaczor Rodo that the following budget adjustments:

Increase budget for

General Equipment Expense by \$10,928

General Revenues - from Other Funds by \$10,928

On the question: 3 voting "Aye" 0 voting "Nay" Carried

Mayor Clinton

Trustee Hartung

Trustee Kaczor Rodo

Moved by Trustee Kaczor Rodo, seconded by Trustee Hartung that Manager of Public Works be authorized to purchase a 2023 Kenworth T280 cab and chassis from Kenworth Northeast Group, Inc., at Sourcewell Contract Price (contract #060920-KTC), not to exceed \$90,000. Expenditure from the Reserve for equipment, not to exceed \$90,000 is subject to permissive referendum.

On the question: 3 voting "Aye" 0 voting "Nay" Carried

Mayor Clinton

Trustee Hartung

Trustee Kaczor Rodo

Moved by Trustee Hartung, seconded by Trustee Kaczor Rodo that Patricia Zarcone be appointed as Election Inspector, and shall meet for the General Election on Election Day, Tuesday, March 21, 2023 at the Orchard Park Municipal Center, 4295 South Buffalo Street, Orchard Park, New York from 11:30 am to the close of the polls at 9 pm EST.

On the question: 3 voting "Aye" 0 voting "Nay" Carried

Mayor Clinton

Trustee Hartung

Trustee Kaczor Rodo

The next regular meeting is scheduled for February 27, 2023.

Moved by Trustee Kaczor Rodo, seconded by Trustee Hartung to adjourn at 7:15 p.m.

On the question: 3 voting "Aye" 0 voting "Nay" Carried

Mayor Clinton

Trustee Hartung

Trustee Kaczor Rodo

Respectfully submitted,
Mary Beth Jensen, Village Clerk-Treasurer