

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 10, 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
Trustee David N. Even

Others present:

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

Members excused:

Trustee Dale T. Pyne

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.”

Mayor Clinton introduced David Even, newly elected Village Trustee. Joseph Wales swore in David Even, with his hand on his Great-Grandfather’s bible.

Mayor Clinton opens the organizational meeting and makes the following Trustee/Mayoral duty designations:

- Mayor Clinton
 - Chief Fiscal Officer
 - Budget Director
 - Personnel Officer
 - Insurance
 - State & County Liaison
 - Comprehensive Plan
 - Grants

- Trustee Hartung
 - Deputy Mayor
 - Town Board Liaison
 - Public Works
 - Street Lights, Sidewalks and Signals
 - Public Safety
 - ECRT Liaison
 - Policy and Procedure Review

- Trustee Even
 - Business Community Liaison
 - Village Events and Celebrations
 - Youth Court
 - Town Tree Conservancy Liaison
 - WNY Railway Liaison

- Trustee Pyne

- Franchises
 - Solid Waste & Recycling
 - Revenue from outside the Village
 - Planning Board Liaison
 - NYSEG
 - Senior Projects
- Trustee Kaczor Rodo
 - Zoning Board Liaison
 - Building Department Liaison
 - Village Code Review
 - Website Review
 - Beautification

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

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

Mayor Clinton makes the following two-year appointment:

Clerk-Treasurer – Mary Beth Jensen

Moved by Trustee Hartung seconded by Trustee Even that the Mayor's two-year appointment be approved.

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

Mayor Clinton makes the following five-year appointments:

Member of the Planning Board – Krista Ehlert

Moved by Trustee Even seconded by Trustee Kaczor Rodo that the Mayor's five-year appointment be approved.

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

Member of the Zoning Board of Appeals – Gary Phillips

Moved by Trustee Even seconded by Trustee Kaczor Rodo that the Mayor's five-year appointment be approved.

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

Mayor Clinton makes the following one-Year Appointments:

Village Administrator – Mary Beth Jensen

Moved by Trustee Kaczor Rodo, seconded by Trustee Hartung that the Mayor's one-year appointment be approved.

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

Deputy Clerk Treasurer – Heather Tucciarone Richeal

Moved by Trustee Kaczor Rodo, seconded by Trustee Hartung that the Mayor's one-year appointment be approved.

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

Attorney – Philip M. Marshall

Moved by Trustee Kaczor Rodo, seconded by Trustee Hartung that the Mayor's one-year appointment be approved.

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

Prosecutor – Charles Messina

Moved by Trustee Kaczor Rodo, seconded by Trustee Hartung that the Mayor's one-year appointment be approved.

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

Code Enforcement Officer – John Gullo

Moved by Trustee Kaczor Rodo, seconded by Trustee Hartung that the Mayor's one-year appointment be approved.

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

Chairman - Zoning Board of Appeals – Steve Snyder

Moved by Trustee Kaczor Rodo, seconded by Trustee Hartung that the Mayor's one-year appointment be approved.

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

Chairman - Planning Board – Ronald "Gunner" Tronolone

Moved by Trustee Kaczor Rodo, seconded by Trustee Hartung that the Mayor's one-year appointment be approved.

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

Trustee Kaczor Rodo
Trustee Even

Secretary - Zoning Board of Appeals – Christine Hanavan

Moved by Trustee Kaczor Rodo, seconded by Trustee Hartung that the Mayor's one-year appointment be approved.

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

Alternate member of the Planning Board – Monica Bruce

Moved by Trustee Kaczor Rodo, seconded by Trustee Hartung that the Mayor's one-year appointment be approved.

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

Alternate members of the Zoning Board of Appeals – Mark Gerwitz

Moved by Trustee Kaczor Rodo, seconded by Trustee Hartung that the Mayor's one-year appointment be approved.

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

Alternate members of the Zoning Board of Appeals – Scott Shular

Moved by Trustee Kaczor Rodo, seconded by Trustee Hartung that the Mayor's one-year appointment be approved.

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

Dog Control Officer – Kevin Masterson

Moved by Trustee Kaczor Rodo, seconded by Trustee Hartung that the Mayor's one-year appointment be approved.

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

Dog Control Officer – Thomas McCarthy

Moved by Trustee Kaczor Rodo, seconded by Trustee Hartung that the Mayor's one-year appointment be approved.

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

Registrar – Remy Orffeo

Moved by Trustee Kaczor Rodo, seconded by Trustee Hartung that the Mayor's one-year appointment be approved.

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

Deputy Registrar – Jennifer Brady

Moved by Trustee Kaczor Rodo, seconded by Trustee Hartung that the Mayor's one-year appointment be approved.

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

Associate Village Justice – Sean O’Brien

Moved by Trustee Kaczor Rodo, seconded by Trustee Hartung that the Mayor's one-year appointment be approved.

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

Clerk to Village Justice – Marie Falzone

Moved by Trustee Kaczor Rodo, seconded by Trustee Hartung that the Mayor's one-year appointment be approved.

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

Clerk (Court) – Jessica Carey

Moved by Trustee Kaczor Rodo, seconded by Trustee Hartung that the Mayor's one-year appointment be approved.

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

Disaster Coordinator – Rich Mrugalski

Moved by Trustee Kaczor Rodo, seconded by Trustee Hartung that the Mayor's one-year appointment be approved.

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

Assistant Disaster Coordinator – Matthew Hartung

Moved by Trustee Kaczor Rodo, seconded by Trustee Hartung that the Mayor's one-year appointment be approved.

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

Economic Development Committee Member – John Capriotto

Moved by Trustee Kaczor Rodo, seconded by Trustee Hartung that the Mayor's one-year appointment be approved.

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

Moved by Trustee Hartung, seconded by Trustee Even that the regular Village Board meeting for the fiscal year 2023-2024 be scheduled for 7:00 PM on the second and fourth Monday of each month, with the following exceptions:

- July, August & December 2023 the Village Board will only meet on the second Monday of the month.

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: 3 voting "Aye" 0 voting "Nay" Carried
Trustee Hartung
Trustee Kaczor Rodo
Trustee Even

Moved by Trustee Even, seconded by Trustee Kaczor Rodo that the Planning Board Meetings be scheduled the first Tuesday of each month at 7:00 PM, with the following exception:

- July 2023 the Planning Board meeting be scheduled for Wednesday, July 5.

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

Moved by Trustee Kaczor Rodo, seconded by Trustee Hartung 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: 3 voting "Aye" 0 voting "Nay" Carried
Trustee Hartung
Trustee Kaczor Rodo
Trustee Even

Moved by Trustee Hartung, seconded by Trustee Even that Community Bank and NYCLASS be designated as the official depositories for the Village of Orchard Park for the fiscal year 2023-2024.

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

Moved by Trustee Even, seconded by Trustee Kaczor Rodo that the Orchard Park Bee be named the official newspaper and the Buffalo News be named the alternate official newspaper for the Village of Orchard Park for the fiscal year 2023-2024.

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

Moved by Trustee Hartung, seconded by Trustee Even that the mileage rate be set for the fiscal year 2023-2024 at 65.5 cents per mile.

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

Moved by Trustee Even, seconded by Trustee Kaczor Rodo that the Village Justice be authorized to hire a stenographer when necessary, at a cost up to \$125.00 per hour for the fiscal year 2023-2024.

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

Moved by Trustee Even, seconded by Trustee Kaczor Rodo that representatives of the Village be authorized to attend Erie County Village Officials meetings and the Association of Erie County Governments meetings, with all expenses incidental to the meetings to be paid by the Village.

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

Moved by Trustee Kaczor Rodo, seconded by Trustee Hartung 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: 3 voting "Aye" 0 voting "Nay" Carried
Trustee Hartung
Trustee Kaczor Rodo
Trustee Even

Moved by Trustee Hartung, seconded by Trustee Even 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 to be paid by the Village.

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

Moved by Trustee Even, seconded by Trustee Kaczor Rodo that two Department of Public Works employees be authorized to attend NYCOM Public Works School, 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: 3 voting "Aye" 0 voting "Nay" Carried
Trustee Hartung
Trustee Kaczor Rodo
Trustee Even

Moved by Trustee Kaczor Rodo, 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: 3 voting "Aye" 0 voting "Nay" Carried
Trustee Hartung
Trustee Kaczor Rodo
Trustee Even

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

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

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

Moved by Trustee Even, seconded by Trustee Kaczor Rodo that the Procurement Policy has been reviewed and an Addendum has been added to identify individuals and their titles that are responsible for purchasing.

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

This concluded the Organizational Meeting.

A Public Hearing was scheduled and advertised for this time to hear public comment on the proposed tentative budget.

Mayor Clinton opened the budget hearing and highlighted some of the important aspects of the tentative budget, including:

- Tax Rate of 4.75 from 4.52, which is over the tax cap (first time since 2016)
- Garbage fee increase of \$23 to \$232 from \$205 per year (still lower than the Town of Orchard Park)
- Increase in the contribution to reserves
- Scheduled 4 road projects and a waterline replacement
- Purchasing leak detection equipment that will expectantly save money by reducing line loss.
- Purchasing fuel tanks to promote self-sufficiency.

Mayor Clinton asked three times for comments in support of the proposed budget. There were none.

Mayor Clinton asked three times for comments in opposition of the proposed budget. There were none.

Moved by Trustee Even, seconded by Trustee Kaczor Rodo that the tentative budget hearing be closed at 7:19 p.m.

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

Trustee Even

Moved by Trustee Kaczor Rodo, seconded by Trustee Hartung that the budget for the fiscal year 2023-2024 be adopted as presented.

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

Moved by Trustee Hartung, seconded by Trustee Even to accept the minutes of March 27, 2023 as presented.

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

Moved by Trustee Hartung, seconded by Trustee Even that the vouchers numbering 6309 to 6333 in batch #182 of fiscal year 2022-2023 in the amount of \$54,228.03 be paid as presented.

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

Comments from the floor of items not on the agenda:

- Jim Accurso (SBA Office of Disaster Recovery) spoke on low interest Disaster Loans available to small businesses, homeowners and renters for losses from the December 23-28, 2022 winter storm. He handed out information to the Board.

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

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

- Code Enforcement Officer John Gullo welcomed Trustee Even.
- Manager of Public Works Wittmeyer had nothing to report.
- Trustee Kaczor Rodo wished everyone a Happy Dingus Day! She welcomed Trustee Even.
- Deputy Mayor Hartung also welcomed Trustee Even. He encouraged property owners to call the Village Building Department when in question about requirements for building permits.
- Trustee Even thanked the Village Board for taking him under their wings. He was honored to be sitting in the seat of previous Board members, Francis Hogenkamp, Thomas Morrow and Joseph Wales.
- Clerk Treasurer Jensen had nothing to report.
- Mayor Clinton had nothing to report.

Moved by Trustee Kaczor Rodo, seconded by Trustee Hartung authorizing the annual Newsletter and Water Quality Report to be mailed to property owners with their 2023-2024 Village Tax Bill.

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

Moved by Trustee Hartung, seconded by Trustee Even to authorize Mayor Clinton to sign a Special Events Contract with the Orchard Park Little League to organize a parade on Village streets May 6 at 10:00 am.

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

Moved by Trustee Hartung, seconded by Trustee Rodo to schedule a public hearing on May 8, 2023 at 7:00 p.m. to hear public comment on the MS4 annual report.

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

The next regular meeting is scheduled for April 24, 2023.

Moved by Trustee Hartung, seconded by Trustee Even to adjourn at 7:27 p.m.

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

Respectfully submitted,
Mary Beth Jensen, Village Clerk-Treasurer