

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, October 23, 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 Dale T. Pyne  
Trustee David N. Even

Others present:

Clerk-Treasurer Mary Beth Jensen  
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 meeting was scheduled and advertised for this time to hear public comment on a proposed local law adding a chapter to the Village Code, entitled Vacant Building Registry. Mayor Clinton opened the public hearing, at 7:01 p.m. with a brief explanation.

Mayor Clinton asked 3 times for comments in favor of the amendments. There were none.  
Mayor Clinton asks 3 times for comments opposing the amendments. There were none.

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

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

Moved by Trustee Kaczor Rodo, seconded by Trustee Hartung that proposed Local Law #16 of 2023 be approved adding Chapter 196, Vacant Building Registry, to the Code of the Village of Orchard Park.

§ 196-1 **Title.**

This chapter shall be known and referred to as the "Vacant Building Registry"

§ 196-2 **Legislative findings and purpose.**

It is the finding of the Village Board that vacant buildings are unsightly, unsafe, and have a negative effect on the community. Unfortunately, many buildings, once vacant, remain that way for years. The purpose of this chapter is to establish a program for identifying and registering vacant buildings, to set forth the responsibilities of owners of vacant buildings, and to speed the rehabilitation of vacant buildings.

### § 196-3 **Definitions.**

Unless otherwise expressly stated, the following terms will, for the purpose of this chapter, have the meanings indicated in this section:

#### **EMERGENCY SITUATION**

Where the condition of a building, structure, or any part thereof is an imminent, immediate, and substantial danger to the health or safety of occupants, emergency responders, and/or the general public. Such conditions include, but are not limited to, fire hazards, falling or dilapidated buildings, structures, or any part thereof, loss of significant water, heat, ventilation, or a lack of sanitary conditions.

#### **ENFORCEMENT OFFICER**

The duly authorized Village of Orchard Park Code Enforcement Officer, or designated persons from that office.

#### **OWNER**

The person, persons, or entity shown to be the owner or owners on the records of the County of Erie, those identified as the owner or owners on a vacant building registration form, a mortgagee in possession, a mortgagor in possession, or an assignee of rents, receiver, executor, administrator, trustee, lessee, other person, firm or corporation in control of the premises. Any such person will have joint and several obligations for compliance with the provisions of this chapter.

#### **SECURED BY OTHER THAN NORMAL MEANS**

A building secured by means other than those used in the design and approved plans for the building.

#### **UNOCCUPIED**

A building or portion thereof which lacks the habitual presence of human beings who have a legal right to be on the premises, including buildings ordered vacated by a Code Enforcement Officer. In determining whether a building is unoccupied, the Code Enforcement Officer may consider these factors, among others:

- A.** Whether lawful residential or business activity has ceased;
- B.** The percentage of the overall square footage of the occupied to unoccupied space or the overall number of occupied and unoccupied units;
- C.** The building is substantially devoid of contents or the minimal value of fixtures or personal property in the building;
- D.** The building lacks utility services;
- E.** The building is subject to a foreclosure action;
- F.** Duration of vacancy; and/or
- G.** The presence or reoccurrence of code violations.

## **UNSECURED**

A building or portion of a building which is open to entry by unauthorized persons without the use of tools or ladders.

## **VACANT BUILDING**

A building, a portion of a building, or a structure which is any one or more of the below:

- A.** Unoccupied and unsecured;
- B.** Unoccupied and secured by other than normal means;
- C.** Unoccupied and an unsafe building as determined by a Code Enforcement Officer;
- D.** Unoccupied and a Code Enforcement Officer has issued an order to correct code violations;
- E.** Illegally occupied; or
- F.** Unoccupied for a period of time over 30 days.

### **§ 196-4 Vacant building registration.**

**A.** The owner of a vacant building will register with the Code Enforcement Officer no later than 30 days after any building becomes a "vacant building," as defined above, or not later than 30 days after being notified by a Code Enforcement Officer of the requirement to register. A Code Enforcement Officer may identify vacant buildings through his/her routine inspection process as well as through notification by residents, neighborhood associations and other community groups that a building may be eligible for inclusion on the registry. Notice will be served upon, or sent by mail to, the owner, and any registered property manager, and to the property address. Notice will be deemed received by the owner, property manager, or an occupant, as the case may be, upon personal delivery or three days in Erie County or five days for other locations after service by first-class mail. The Village may also post notices on the Village's website to provide additional notice to the public. However, the Village's failure to post such violations on the Village's website will not constitute a defense to any enforcement proceeding or collection of fines.

**B.** The registration will be submitted on forms provided by the Code Enforcement Officer and will include the following information:

- (1)** A description of the premises, i.e., square footage, number of stories, age of the building, and most recent use of the building.
- (2)** The names, addresses, and telephone numbers of the owner or owners; if the owner is a corporation, limited-liability company or partnership, the address for each director, manager, or partner, as the case may be. The address must include a street address; a post office box is not acceptable.
- (3)** If the owner does not reside in Erie County or any adjoining New York county, the name and address of a property manager who does reside in Erie County or any adjoining county. The address must include a street address; a post office box is not acceptable.

**(4)** The names and addresses of all known lienholders and all other parties with an ownership interest in the building. Each address must include a street address; a post office box is not acceptable.

**(5)** A name, address, and telephone number of a responsible natural person (not a corporation, partnership or limited-liability company) who can be reached at all times during business and nonbusiness hours. The address must include a street address; a post office box is not acceptable.

**(6)** A vacant building plan as described in Subsection **C** below.

**C.** The owner will submit a vacant building plan which must meet the approval of the Code Enforcement Officer. The plan, at a minimum, must contain information from one of the following three proposals for the property:

**(1)** If the building is to be demolished, a demolition plan indicating the proposed time frame for demolition;

**(2)** If the building is to remain vacant, a plan for the securing of the building in accordance with standards provided below, along with the procedure that will be used to maintain the property, and a statement of the reason(s) why the building will be left vacant; or

**(3)** If the building is to be returned to appropriate occupancy or use, rehabilitation plans for the building must be submitted to the Code Enforcement Officer. The rehabilitation plans will not exceed 365 days from the date of submission and will include progress benchmarks at least every four months, unless the Code Enforcement Officer grants an extension for good cause shown, upon receipt of a written statement from the owner detailing the reasons for the extension. Any repairs, improvements or alterations to the property must comply with any applicable zoning, housing, historic preservation or building codes. The building must be secured in accordance with this chapter.

**D.** The owner will comply with all applicable laws and codes. The owner will notify the Code Enforcement Officer of any changes in information supplied as part of the vacant building registration within 30 days of the change. If the plan or timetable for the vacant building is revised in any way, the revisions must be in writing and must meet the approval of the Code Enforcement Officer.

**E.** The owner and any subsequent owner will keep the building secured and safe and the building and grounds properly maintained as provided in the NYS Property Maintenance Code and this chapter.

**F.** Failure of the owner or any subsequent owner to maintain the building and premises as required herein will be grounds for the Village:

**(1)** To remediate the building and bill the costs of same to the owner;

**(2)** To revoke the rehabilitation plans; and

**(3)** The owner will be subject to fees and penalties as provided herein.

**G.** The owner will notify the Code Enforcement Officer of any transfer of ownership within 15 days of transfer. The new owner will comply with the approved plan and timetable submitted by the previous owner until any proposed changes are submitted and approved by the Code Enforcement Officer.

## H. Vacant building registration fees.

**(1)** The owner of a vacant building will pay a registration fee as determined by the fee schedule adopted by the Village Board or by separate resolution of the Village Board at any time during the course of a fiscal year. The registration fee is due and payable upon registration; to wit: no later than 30 days after any building becomes a "vacant building," as defined above, or no later than 30 days after being notified by a Code Enforcement Officer of the requirement to register.

**(2)** If the building is to remain vacant, then the owner will also pay an annual vacant building fee. The amount of said fee shall be determined pursuant to the fee schedule adopted by the Orchard Park Village Board or by separate resolution of the Village Board. Said fee schedule shall provide for differing amounts dependent upon the number of years that the building is vacant. <sup>[1]</sup>

[1]

*Editor's Note: The fee schedule is included in Chapter A232.*

**(3)** If the building is to be returned to a permitted use, the rehabilitation plan will not exceed 365 days and will include progress benchmarks at least every four months, unless the Code Enforcement Officer grants an extension for good cause shown upon receipt of a written statement from the owner detailing the reasons for the extension. If the rehabilitation has not been completed or extended, then the owner will pay an annual vacant building fee until the building is properly demolished or rehabilitated. The annual vacant building fee is payable either on each anniversary of the payment of the initial registration fee in Subsection **H(1)** above or no later than 10 days after being notified by a Code Enforcement Officer that the owner has failed to meet a required benchmark, whichever date is earlier, and on each anniversary thereafter until the building is demolished or rehabilitated.

**(4)** If the owner of a vacant building fails to register and pay the fees in a timely manner, then the owner will be subject to the penalty set forth in the fee schedule adopted by the Village Board.

**(5)** All delinquent fees will be paid by the owner prior to any transfer of an ownership interest in any vacant building. The owner will give a purchaser written notice that the building in question is a vacant building under this section.

**(6)** The vacant building registration fees and annual vacant building fees as set forth in the fee schedule or by separate resolution are to be delivered, by mail or in person, to the Village Clerk's Office, 4295 S Buffalo St Orchard park, New York 14127. A processing fee will be charged for each check returned by the bank due to insufficient funds or other reason. A replacement payment must be made in cash, money order, or bank or certified check and must include the processing fee and any applicable late charges. Invoices and any additional fees that remain unpaid will be added to the property owner's tax bill and will include an additional fee.

**I.** The Code Enforcement Officer will include in the file any property-specific written statements from community organizations, other interested parties or

citizens regarding the history, problems, status or blighting influence of a vacant building.

§ 196-5 **Maintenance.**

**A.** The owner of a vacant building will take such steps and perform such acts as may be required of him or her from time to time to ensure that the building and its grounds remain safe and secure and do not present a hazard to any adjoining property or the public. Owners will be responsible for maintaining their buildings and structures so that they do not become an unoccupied hazard. In any building or floor area that is vacant or about to become vacant, there will be at least one access which meets the approval of the Code Enforcement Officer.

**B.** The owner will protect and maintain the exterior of the building as follows:

(1) Exterior walls, including foundations, will be maintained so that water does not penetrate into basements, cellars, or other interior areas. All exterior walls and foundations must be free of holes and crevices.

(2) Exterior doors, windows, skylights and similar openings will be maintained weathertight.

(3) Exterior stairs, porches, entrance platforms, fire escapes and the railings thereon shall be maintained in good repair and a safe and sound condition.

(4) Roofs shall be maintained in a weathertight condition.

(5) Exterior surfaces shall be maintained in good condition. Surfaces not inherently resistant to deterioration shall be treated with a protective coating of paint or other suitable preservative.

(6) The coverings for windows and doors with glass may not consist of any substance sprayed onto the glass doors or windows. All enclosures shall be properly fitted and be of such material and surface that they are neither unsightly nor will materially detract from the general appearance of the building or the neighborhood and, when possible, secured by normal means.

(7) The covering for broken doors and cracked or broken windows may consist of replacement glass, Plexiglas, boards, plywood or similar materials finished and maintained in a manner recommended and approved by the Code Enforcement Officer. The materials will be designed and of such color to blend in with the finish of the building.

(8) Windows that are not cracked or broken may be covered with interior blinds, curtains, shades, or decorative paper.

(9) The premises will be kept free of insects and vermin and will be treated if necessary.

(10) Any excavations, swimming pools, or other attractive nuisances must be filled in or properly closed.

**C.** In addition to the standards prescribed above, vacant commercial and retail buildings shall comply with the following standards:

(1) Any and all damaged first-floor windows will be replaced by glass, Plexiglas, or an approved material.

**(2)** All exterior signs, awnings and lighting systems, if not removed, shall be maintained in a non-deteriorated and safe condition.

**D.** The owner will protect and maintain the interior of the building as follows:

**(1)** Structural members will be maintained to resist and prevent deterioration.

**(2)** Unheated attics, spaces below flat roofs, and crawl spaces will be ventilated to minimize deterioration.

**(3)** Ceilings, walls, floors and stairways will be maintained in a safe and sound condition.

**E.** The owner will maintain the premises as follows:

**(1)** The owner will not permit garbage and refuse to accumulate.

**(2)** Buildings and structures will be maintained free of insects, vermin and rodent harborage and infestation.

**(3)** Refrigerators and similar equipment with locking mechanisms will not be discarded, abandoned or stored without first removing the locking devices or the hinges of the doors.

**(4)** Junked vehicles will not be stored at the premises.

**(5)** Chimneys, smokestacks, flues, gas vents, smoke pipes and connectors will be maintained structurally safe and smoke tight.

**(6)** If the building is to be demolished or remain vacant, then, within 10 days of registering the building as a vacant building, all fuel gas, water, and utilities must be disconnected at the mains and water pipes drained. If the building is going to be rehabilitated, then the building must be heated to avoid freezing pipes, fuel gas pipe systems must be maintained gastight, in a safe and operative condition, and water pipes must be maintained to avoid leaks and/or breakage.

**(7)** Fuel tanks will be maintained so as not to be a hazard or will be discontinued in a manner consistent with Chapter C of the State Uniform Fire Prevention and Building Code (9 NYCRR).

**(8)** The domestic water supply system of the building will be connected to an approved source, will not be subject to contamination and will not be connected to unsafe water supplies, or the system will be disconnected at the main and completely drained.

**(9)** Stormwater drainage systems will be maintained so as to function properly and be kept free from obstructions, leaks and defects. Sewage systems will be similarly maintained or will be sealed so as to prevent accumulation of sewage gases in buildings.

**(10)** Electrical fixtures, devices, wiring and systems will be maintained in safe working condition in a manner which will avoid a potential source of ignition or shock, or service will be discontinued at the supply.

**(11)** Elevators, dumbwaiters and escalators will be maintained or taken out of service.

**(12)** The owner will provide for snow removal.

**(13)** The owner will maintain yards and vacant lots trimmed and mowed, with the height of grass and weeds being no more than 10 inches, and clean and free of physical hazards, rodent harborage and infestation.

**F.** Whenever the owner of a vacant building fails to comply with a notice from a Code Enforcement Officer to take steps and perform acts as are required of him or her to ensure that a building and its adjoining yards remain safe and secure and do not present a hazard to adjoining property in violation of Subsection **B** above, the Village may enter onto the building and the property and take steps and perform acts to render the building and its adjoining yards safe, secure and free from hazards to adjoining property and the public. These acts will include but not be limited to removal of dangerous conditions, properly replacing or boarding up windows and doors, shutting off utilities, capping plumbing to prevent leakage of water or sewer gas, or removing flammable or otherwise hazardous material and debris. A bill for the expenses incurred above will be presented to the owners of the building.

#### § 196-6 **Exemptions.**

A building which has suffered fire damage or damage caused by extreme weather conditions will be exempt from the registration requirement for a period of 60 days after the date of the fire or extreme weather event if the property owner submits a request for exemption in writing to the Code Enforcement Officer. This request will include the following information supplied by the owner:

**A.** A description of the premises.

**B.** The reason for an exemption.

**C.** The names and addresses of the owner or owners. A post office box is not acceptable.

**D.** A statement of intent to repair and reoccupy the building in an expedient manner or the intent to demolish the building.

#### § 196-7 **Inspections.**

By registering a vacant building, an owner consents to a Code Enforcement Officer inspecting the premises for the purpose of enforcing and assuring compliance with the provisions of this chapter. Upon the request of the Code Enforcement Officer, an owner will provide access to all interior portions of a vacant building in order to permit a complete inspection. Nothing contained herein, however, will diminish the owner's right to insist upon the procurement of a search warrant from a court of competent jurisdiction by the Code Enforcement Officer or his or her designee in order to enable such inspection, and the Code Enforcement Officer will be required to obtain a search warrant whenever an owner refuses to permit a warrantless inspection of the premises after having been advised of his or her constitutional right to refuse entry without same. In the case of an emergency, this section will not apply.

#### § 196-8 **Penalties for offenses.**

Any person violating any provision of this vacant building registry or providing false information to the Code Enforcement Officer will be subject to the following fines:



- A. Such person will be subject to a fine of \$1,000 or imprisonment not exceeding six months, or both such fine and imprisonment.
- B. The term "person," as used in this section, will include the owner, occupant, mortgagee or vendee in possession, assignee of rents, receiver, executor, administrator, trustee, lessee, agent or any other person, firm or corporation directly or indirectly in control of the building or part thereof.
- C. Each day of violation will be deemed to constitute a separate offense.
- D. Fines levied will constitute civil forfeitures to the Village of Orchard Park.

**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 Hartung  
                           Trustee Kaczor Rodo  
                           Trustee Pyne  
                           Trustee Even

Moved by Trustee Kaczor Rodo, seconded by Trustee Hartung to accept the minutes of September 25, 2023 as presented.

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

Moved by Trustee Hartung, seconded by Trustee Kaczor that the vouchers numbering 6616 to 6643 in Batch #199 of fiscal year 2023-2024 in the amount of \$190,599.21 and vouchers numbering 6644 to 6670 in Batch #200 of fiscal year 2023-2024 in the amount of \$35,772.08 be paid as presented.

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

Comments from the floor of items not on the agenda.

- Eugene Allman (190 Highland Ave) spoke on the beavers building a dam by the bridge on Highland Ave. He asked if the Village planned to act to remove it before there is a flooding issue.
  - Mayor Clinton agreed it was a concerning situation. The Building Inspector and Deputy Mayor first planned to determine if the dam was on ROW or private property. The DEC had been contacted regarding permits and for guidance as to the plan of action.

Moved by Trustee Hartung, seconded by Trustee Even that the reports of the Village Justice, Associate Village Justice, Water Department and Treasurer for the month of September 2023 be received and filed.

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

Trustee Hartung  
Trustee Kaczor Rodo  
Trustee Pyne  
Trustee Even

## REPORTS

- Code Enforcement Officer John Gullo wished everyone a safe and fun Halloween.
- Trustee Kaczor Rodo reported that Halloween trick or treating hours in the Village are 6-8 p.m.
- Deputy Mayor Hartung reported
  - Residents should place their leaves at the edge of their property, NOT on the road for collection.
  - Political signs must be removed within 24 hours of the election.
- Trustee Pyne had nothing to report.
- Trustee Even reported invited all to join the Village's Halloween in the Park Event on Saturday from 2-5 on Princeton Place.
- Clerk Treasurer Jensen had nothing to report.
- Mayor Clinton reported on activities planned for the Halloween event, including food, hayrides, alpacas, and pumpkin painting.

Moved by Trustee Hartung, seconded by Trustee Pyne that the following budget adjustments be authorized for fiscal year 2023-2024:

Create a budget for the Freeman Road Dredging and Rehab Project:

Create Federal Grant Revenues Account (HH-44991-001)	\$117,450
Increase Capital Revenues from General Fund by	13,050
Create Project Expense Account (HH-68745-201)	\$130,500

Increase budget for

Equipment expense (RE-65112-200) by	\$ 10,800
Sale of Equipment revenues (RE-42665-000) by	\$ 8,000
Transfer from General Fund revenues (RE-45031-000) by	\$ 2,800
Transfer to Capital from General expense (AA-69950-900) by	\$ 15,850

Decrease

General Fund Balance by	\$ 5,850
Engineering Expense (AA-61440-400) by	\$ 10,000

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

Trustee Hartung  
Trustee Kaczor Rodo  
Trustee Pyne  
Trustee Even

Moved by Pyne, seconded by Trustee Even, that the Village of Orchard Park establish the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the time-keeping system records of activities maintained and submitted by these officials to the clerk of this body *as presented*: The detailed information is available on the Village website and in the Village Clerk's Office.

TITLE	NAME	STANDARD WORK DAY	TERM BEGINS / ENDS	DAYS PER MONTH REPORTED	TIME KEEPING SYSTEM
Trustee	Matthew J Hartung	6 hour work day	4/3/2023-4/6/2027	6.7 days per month	No
Trustee	David N Even	6 hour work day	4/3/2023-4/6/2027	3.18 days per month	No

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

Moved by Trustee Even, seconded by Trustee Kaczor Rodo, that pursuant to the Uniform Justice Court Act §2019(a) the Village Board has completed an audit of the records of the Village Justice and found them to be properly accounted for and in order.

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

Mayor Clinton spoke on proposed annexations from the Village to the Town and the Town to the Village.

Moved by Trustee Kaczor Rodo, seconded by Trustee Hartung that a joint public hearing take place on Monday, November 13, 2023 at 6:30 PM for the purpose of providing opportunity for public input regarding the annexation of territory contained in Exhibit A, attached hereto, into the Town of Orchard Park from the Village of Orchard Park and approving the annexation of territory contained in Exhibit B, attached hereto, into the Village of Orchard Park from the Town of Orchard Park.

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

Moved by Trustee Hartung, seconded by Trustee Pyne that the following be declared surplus:

- Lenovo TD340 server, to be scrapped by Great Lakes IT and the Hard Drives to be incinerated.
- White Leaf Body (6'6" wide by 12'2" long by 6' tall), to be sold at auction.
- 43"h x 40"w x 27"d Meilink Safe, to be sold at auction.
- 1,000 gallon Fuel Tank to be returned to Kurk Fuel for credit

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

Moved by Trustee Pyne, seconded by Trustee Even that Clerk Jensen be authorized to purchase a Lenovo ST550 Server from Great Lakes IT Services for \$8,145.00, including configuration and installation.

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

Moved by Trustee Even, seconded by Trustee Kaczor Rodo that Mayor Clinton be authorized to sign a one-year contract extension with Fisher Associates, retaining their engineering services on an "as needed" basis.

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

Moved by Trustee Kaczor Rodo, seconded by Trustee Hartung that the Village of Orchard Park Code, Chapter A232, fees, be amended as follows:

Adding Chapter 196 Vacant Building Registry fees as presented:

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

Moved by Trustee Kaczor Rodo, seconded by Trustee Hartung that the Village of Orchard Park Code, Chapter A232, fees, be amended as follows:

Initial registration fee: \$50.

Annual Vacant Building Fees:

Property Type	Year 1	Year 2	Year 3	Each Subsequent Year
Demolition plan or rehabilitation plan submitted	\$ 100	If no extension is granted, then the maximum fee for the relevant property type will be charged for each subsequent year	If no extension is granted, then the maximum fee for the relevant property type will be charged for each subsequent year	If no extension is granted, then the maximum fee for the relevant property type will be charged for each subsequent year
Residential 1-2 Units	\$ 250	\$ 500	\$ 750	\$ 1,000
Multiple Dwellings	\$ 500 / Unit	\$ 1,000	\$ 1,500	\$ 2,000

Commercial (Which is greater)	\$ 1,000 or \$ .05/ Sq Ft *	\$ 2,000 or \$ .10/ Sq Ft *	\$ 3,000 or \$ .15/ Sq Ft *	\$ 4,000 or \$ .20/ Sq Ft *
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\*Gross Square Footage

Late fee: initial registration and/or annual vacant building fee: \$250

Admin Fee for unpaid charges added to the tax bill: \$250.

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

The next regular meeting is scheduled for 11/13/23, immediately following the joint Village / Town meeting, scheduled for 6:30 p.m.

Moved by Trustee Hartung, seconded by Trustee Pyne to adjourn at 7:23 p.m.

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

Respectfully submitted,  
Mary Beth Jensen, Village Clerk-Treasurer

#### EXHIBIT A

Address	SBL	Name 1	Name 2
Carrow St	172.08-2-20	Kavcon Development	
Duerr Rd	172.12-1-71	Town of OP	
Duerr Rd	172.12-1-70	Village of OP	
27 Fox Meadow Lane	173.06-2-28	Jeffrey Spencer	Sarah
47 Fox Meadow Lane	173.06-2-29	Lawlor Quinlan	Elizabeth
57 Fox Meadow Lane	173.06-2-30	Peter Freyer	Katharine
67 Fox Meadow Lane	173.06-2-31	Barbara Enser	
68 Fox Meadow Lane	173.06-2-32	John Jakiel	Lori
38 Fox Meadow Ct	173.06-2-33	Diane Lewandowski	Gary Shavensky
28 Fox Meadow Ct	173.06-2-34	Bradford Tito	

18 Fox Meadow Ct	173.06-2-35	John Kearns	Patricia
8 Fox Meadow Ct	173.06-2-36	Estelle Young	
N Freeman Rd	162.18-1-1	Toby Burns	Ellen
Highland Court	173.09-3-25.112	Aurora Equity LLC	
Highland Court	173.09-3-25.12	Ronald Zoeller	
25 Pheasant	173.06-2-18	Hiram Rhoads	Deborah
7043 E Quaker	162.18-1-4	Stanley Werner	Virginia Taber
7055 Quaker Rd	162.18-1-7	Weston Wittmeyer	
6185 W Quaker St	172.08-2-1	Kavcon Development	
121 Stonehenge	173.06-2-17	George K Bidjov Jr	Elizabeth
141 Stonehenge	173.06-2-19	Kori Kaminski	Daniel
221 Stonehenge	173.06-2-27	Christopher Galbraith	Ann
239 Stonehenge	173.06-2-37	Jeffrey J Affronte	Amber Warren
Thorn Ave	172.08-2-10.3	Forest Schutt, Inc	
122 Larned	161.20-2-1	Jeannine Doyle	

## EXHIBIT B

<u>Address</u>	<u>SBL</u>	<u>Name 1</u>
6174 Armor	172.15-2-28	Charles Schamann
6184 Armor	172.15-2-29	Leonard Sparks
Armor Duells Rd	172.15-2-30	Daniel M Stark
Armor Duells Rd	172.04-2-11	Gary Nosowicz
Armor Duells Rd	172.04-2-12.1	Fairway Contracting
Armor Duells Rd	172.20-1-1	Carol Prabucki
Armor Duells Rd	172.20-1-2	Mark Jakubowski
Armor Duells Rd	172.20-1-3	Sean Williams

Armor Duells Rd	172.20-1-4	Gary Jankowiak
Armor Duells Rd	172.20-1-5	Michael Smith
Armor Duells Rd	172.20-1-6	Michael Brady
Armor Duells Rd	172.20-1-7	Tammy Linde
Armor Duells Rd	172.20-1-8	Kenneth Popp
Armor Duells Rd	172.20-1-9	Patrick James
Armor Duells Rd	172.20-1-10	Matthew Holquist
Armor Duells Rd	172.20-1-11	National Fuel Gas
Armor Duells Rd	172.20-1-12	Timothy Gibbons
Armor Duells Rd	172.20-1-13.1	Jason Shams
Armor Duells Rd	172.20-1-13.2	Brian Louis
Armor Duells Rd	172.20-1-14	Richard Kandefer
Armor Duells Rd	172.20-1-15	Penelope Skrzypczyk
Armor Duells Rd	172.20-1-22	Kenneth Holmes
4104 N Buffalo Rd	161.16-1-15	4104 N Buffalo Rd LLC
4095 N Buffalo Rd	162.13-2-2	Sheila MurphyTarquini
4065 N Buffalo Rd	162.13-2-1	4063 North Buffalo Street LLC
4050 N Buffalo Rd	161.16-1-13.311	570 DAB 68 LLC
0 N Buffalo Rd	161.16-1-13.11	95 NYRPT LLC
4086 N Buffalo Rd	161.16-1-13.121	95 NYRPT LLC
4109 N Buffalo Rd	162.13-2-14	Dennis Salemi
4125 N Buffalo Rd	162.13-2-15.1	Paul Bodden
4141 N Buffalo	162.13-2-17	William Turner
Carrow St	172.08-4-24	Jeffrey Sweet
Carrow St	172.08-4-25	Daniel Gradwell
N Davis St	161.20-7-8.1	Timothy Colley
99 N Davis St	162.20-7-8.2	James Dodd
0 S Davis St	172.08-4-23	Robert Raber
4956 Ellicott Rd	173.13-1-8	4962 Ellicott Rd LLC
4957 Ellicott Rd	173.13-1-10	Gregory R Wollen
4949 Ellicott Rd	173.13-1-11	Jishin LLC
4939 Ellicott Rd	173.13-1-12.1	Gregory R Wollen
4933 Ellicott Rd	173.13-1-12.2	Richard C Waterfield
0 Ellicott Rd	173.17-2-1	4962 Ellicott Rd LLC
0 Ellicott Rd	173.17-2-2	4962 Ellicott Rd LLC
Freeman Rd	162.18-3-27.11	Dorothy Morrow
Freeman Rd	162.18-3-28.1	Philip Furgala
Freeman Rd	162.18-3-29.1	Robert Maxwell
Freeman Rd	173.06-4-1	Trent Thomas
Freeman Rd	173.06-4-3	Ryan Anderson
Freeman Rd	173.06-4-4	Slawomir Glowczynski
Freeman Rd	173.06-4-5	Peter Nuessle
4405 Freeman Rd	173.06-5-1	Mary Lou Patterson
4417 Freeman Rd	173.06-5-2	James Wardlaw
4431 Freeman Rd	173.06-5-3	William Bensman Jr

4447 Freeman Rd	173.06-5-4.1	Thomas Kelly
4457 Freeman Rd	173.06-5-4.2	Sandra Vecio
4464 Freeman Rd	173.10-1-1	Rocky Gocella
4478 Freeman Rd	173.10-1-2	Steven Ruh
4488 Freeman Rd	173.10-1-3	Craig Broadway
4496 Freeman Rd	173.10-1-4	Lee Tatar
4508 Freeman Rd	173.10-1-5	Sanford Whistler
4518 Freeman Rd	173.10-1-6	Joseph Kelly
4528 Freeman Rd	173.10-1-7	Kathryn Bihl
4542 Freeman Rd	173.10-1-8	George Holdridge
4566 Freeman Rd	173.10-1-11	Paul Gorczyca
Freeman Rd	173.10-1-13	The Reserve OP LLC
4541 Freeman Rd	173.10-1-14	James Rowe
4529 Freeman Rd	173.10-1-15	Michael Wolf
4519 Freeman Rd	173.10-1-16	Kurt Winter
Freeman Rd (4519)	173.10-1-17.111	Kurt Winter
4511 Freeman Rd	173.10-1-17.112	Bryan Debroka
4497 Freeman Rd	173.10-1-19.11	Taylor Harrington Baum
4475 Freeman Rd	173.10-1-20	Christopher Walter
4465 Freeman Rd	173.10-1-21	Doreen Miller
Freeman Rd	173.20-1-1	The Reserve OP LLC
N Freeman Rd	162.18-2-25	Friends Cemetery
4 Hartloff Pl	162.13-2-6	Dennis Salemi
2 Hartloff Pl	162.13-2-7	Brendan Biggane
Highland Ave	173.09-4-1	Nativity Cemetery
Highland Ave	173.09-4-3	Nativity Cemetery
Highland Ave	173.10-1-10	Gregory Nowicki
317 Highland Ave	173.10-1-9	Cecile Menard
6740 Jewett Holmwood	173.00-1-43	OPCC
105 Jolls Ln	162.14-1-25	Jordan Blair
6190 W Quaker St	172.08-4-40	Joshua Robertson
Stonehenge (262)	173.07-1-18	Robert Taggart
360 Sunset Terr	162.13-2-3	Robert Grimm Jr
350 Sunset Terr	162.13-2-4	Penny Jo Jensen
340 Sunset Terr	162.13-2-5	Thomas Boechel
320 Sunset Terr	162.13-2-8	Martin Kline Jr
310 Sunset Terr	162.13-2-9	Gregory Robinson
300 Sunset Terr	162.13-2-10	Karen Schoenhardt
301 Sunset Terr	162.13-2-11	John Fleischman
Sunset Terr	162.13-2-12	Village Center Apts
321 Sunset Terr	162.13-2-13	Verizon New York Inc
41 Wellington Ln	162.14-1-26	Kristen Robillard
13 Westview Pl	172.08-4-30.112	John Beszczynski
19 Westview Pl	172.08-4-38.1	Lawrence Broad
425 Woodland Dr	172.11-1-29	Stephanie Stachewicz



Woodlane Dr	173.05-6-1	Jan L Robinson
Woodlane Dr	173.05-6-2	Ryan Kirke
Woodlane Dr	173.05-6-3	Joseph F Ruh
Woodlane Dr	173.05-6-4	Joseph F Ruh
Woodlane Dr	173.05-6-5	Joseph F Ruh
Woodlane Dr	173.05-6-6	Patricia M Ruh
Woodlane Dr	173.05-6-7	Joseph F Ruh