

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, November 13, 2023 in the Municipal Center, 4295 South Buffalo Street, Orchard Park, New York. Mayor Clinton called the meeting to order at 7:30 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  
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 October 23, 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 Even that the vouchers numbering 6671 to 6701 in Batch #201 of fiscal year 2023-2024 in the amount of \$248,598.92 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.

- Gary Phillips (131 Woodview) asked for an update on the beaver dam, wondering when the dam would be removed. He is concerned about flooding.
  - Deputy Mayor Hartung reported that the dam had been removed once, and was rebuilt within a few days. Currently a hole has been made in the dam, which will be repaired by any beavers remaining. Once it is evident that there are no beavers remaining to repair the dam, the dam will be dismantled, but no equipment is allowed down there. The dam is checked daily and the Village is working diligently to mitigate this situation for the neighborhood.

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

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

- Code Enforcement Officer John Gullo wished everyone a Happy Thanksgiving.
- Manager of Public Works Wittmeyer had nothing to report.
- Trustee Kaczor Rodo wished a Happy Veterans Day to our Veterans and thanked them for their service. She also thanked those still in the audience who stayed for this meeting.
- Deputy Mayor Hartung spoke regarding the road work on South Buffalo St – the contractor will soon be wrapping up for the winter and resuming work next spring. There were hiccups while working on the watermain last week and that work has been suspended as well.
- Trustee Pyne had nothing to report.
- Trustee Even thanked those that came out for the Public Hearing on annexations. The Village Board is looking forward to reviewing the information gathered at the hearing.
- Clerk Treasurer Jensen had nothing to report.
- Mayor Clinton had nothing to report.

Moved by Trustee Pyne, seconded by Trustee Even that the following resolution be adopted:

WHEREAS, Mary Beth Jensen, Village Clerk-Treasurer of the Village of Orchard Park, Inc. has delivered to the Board of Trustees an account of the 2023 Village taxes remaining unpaid and said account shows the description of each parcel of real property upon which taxes remain unpaid, person or persons in whose name property is assessed and the amount of unpaid tax, and

WHEREAS, said Village Clerk-Treasurer having made an oath before the officer authorized to administer oaths, and the taxes mentioned in such account therein remain unpaid and that after diligent efforts she has been unable to collect the same.

NOW, THEREFORE BE IT RESOLVED, that pursuant to Section 1436 of the Real Property Tax Law, said Mary Beth Jensen, as Village Clerk-Treasurer of the Village of Orchard Park, Inc. be credited with the amount of \$5,807.24, the amount of the unpaid 2023 Village taxes.

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 the following resolution be adopted:

WHEREAS, there remains unpaid Village taxes on certain Village properties, and  
WHEREAS, these unpaid taxes have been compared to the original tax roll and are correct, and

WHEREAS, the Board of Trustees of the Village of Orchard Park, Inc. has entered into an agreement with the County of Erie to collect the unpaid Village taxes,

NOW, THEREFORE BE IT RESOLVED, that the Village Clerk-Treasurer, Mary Beth Jensen, be instructed to turn over the unpaid 2023 Village taxes in the amount of \$5,807.24 to the County of Erie for collection.

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 a Public Hearing be scheduled and advertised for December 11, 2023 at 7:00 pm to hear public comment on establishing 2024 water rates.

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 Manager of Public Works Wittmeyer be authorized to purchase a 4 in 1 Bucket for the John Deere 544 Loader from NC Contracting. The amount will to be expended from the Reserve for Equipment, not to exceed \$5,000, is subject to permissive referendum.

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 Manager Wittmeyer be authorized to cancel the order of a Bobcat compact Track Loader from Bobcat of Buffalo South and purchase a 2024 John Deere Compact Track Loader from Five Star Equipment. The amount will be expended from the reserve for Equipment, not to exceed \$90,000, is subject to permissive referendum.

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 the following budget adjustments in the 2023-2024 fiscal year be authorized:

Increase Budget for:

- Equipment Expense by \$20,000.00
- Lockwood Waterline Expense by \$ 4,043.50
- Carrow Waterline Expense by \$ 4,043.49
- Westview Waterline Expense by \$18,183.84
- Retirement General Fund Expense by \$ 1,734.00
- Retirement Water Fund Expense by \$ 577.00
- Interest Revenue General by \$ 1,734.00
- Interest Revenue Water by \$ 577.00

Decrease Budget for:

- Allen / Argyle Waterline Expense by \$26,270.83

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 November 27, 2023

Moved by Trustee Hartung, seconded by Trustee Pyne to adjourn at 7:45 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