

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 11, 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
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.”

Marie Falzone, Clerk to Village Justice, was recognized as recipient of a Certificate of Appreciation from the New York State Unified Court System. This huge honor from a state wide agency was also acknowledged by Mayor Clinton, Town Judge Michael Pastrick and Village Judge James C Cosgrove, who were present to thank Marie for her dedication.

A Public Hearing was scheduled and advertised for this time to hear public comment on establishment of Village Water Rates.

Mayor Clinton opened the Public Hearing to establish new water rates with a brief overview of the changes.

Mayor Clinton asked three times for comments in favor. There were none.

Mayor Clinton asked three times for comments in opposition. There were none.

Moved by Trustee Pyne, seconded by Trustee Even that the Public Hearing be closed at 7:05 p.m.

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

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, 2024:

For district users - a rate of \$9.37 per one thousand gallons plus an O&M quarterly charge of \$9.81; the minimum quarterly water charge being \$75.40 for seven thousand gallons.

For non-district users - a rate of \$13.12 per one thousand gallons plus and O&M quarterly charge of \$43.70; the minimum quarterly water charge being \$135.54 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 Hartung
Trustee Kaczor Rodo
Trustee Pyne
Trustee Even

Moved by Trustee Kaczor Rodo, seconded by Trustee Hartung to accept the minutes of November 13, 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 Rodo that the vouchers numbering 6702 to 6724 in Abstract #202 of fiscal year 2023-2024 in the amount of \$270,012.41 (originally reported as \$248,598.92, was corrected on 1/8/2024); and vouchers numbering 6725 to 6751 in Abstract #203 of fiscal year 2023-2024 in the amount of \$168,048.84 be paid as presented.

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

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

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 November 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 addressed the question about snow removal around fire hydrants; it is the responsibility of the property owner. He also wished everyone Happy Holidays.
- Manager of Public Works Wittmeyer had nothing to report.
- Trustee Kaczor Rodo wished everyone happy and safe holidays.
- Deputy Mayor Hartung reported that he and Mayor Clinton have been meeting with property owners who have questions about the proposed annexations. Please call the

office to set up an appointment if you are interested. He wished everyone Happy Holidays.

- Trustee Pyne wished all a Merry Christmas.
- Trustee Even had nothing to report.
- Clerk Treasurer Jensen had nothing to report.
- Mayor Clinton had nothing to report.

Moved by Trustee Kaczor Rodo, seconded by Trustee Hartung that a Climate Smart Community (CSC) Task Force be established for the Village of Orchard Park, to serve as a central body of leadership that promotes and supports climate mitigation and adaption in the community.

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 Mayor Jo Ann Litwin Clinton be appointed CSC Task Force Coordinator, to serve as Chair and Point of Contact for the CSC program, coordinate activities and facilitate project implementation.

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

Increase Budget for:

| | |
|-------------------------------------------------------------|--------------|
| General Expense, Equipment Street Maintenance by | \$224,054.32 |
| General Revenues, Transfer from Other Funds by | \$224,054.32 |
| Reserve for Equipment Expense, Transfer to Other Funds by | \$224,054.32 |
| Reserve for Equipment Revenue, Transfer from Other Funds by | \$ 4,800.00 |
| Reserve for Equipment Expense, Equipment by | \$ 4,800.00 |
| Water Service Charge Revenue by | \$ 600.00 |
| Water Penalty Revenue by | \$ 4,600.00 |
| Water Fund Interest Revenue by | \$ 5,000.00 |
| Water Source of Supply Expense by | \$ 35,000.00 |
| Use of Water Fund Balance by | \$ 34,800.00 |
| Capital Fund Expense, Transfer to Other Funds by | \$ 4,800.00 |

Decrease Budget for:

| | |
|---------------------------------------------|--------------|
| Reserve for Equipment Expense, Equipment by | \$224,054.32 |
| Metered Water Sales Revenue by | \$ 10,000.00 |
| Capital Fund Expense, Hydrants by | \$ 2,400.00 |
| Capital Fund Expense, Valves by | \$ 2,400.00 |

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's:

- Brother HL-3170 CDW colored printer be declared surplus and disposed of appropriately.
- 2013 International Multibody truck be declared surplus and traded in or sold at auction.

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 DPW Manager Wittmeyer be authorized to purchase a HydroVerge Hydrant Buddy from Pollard Water for \$4,950. The expenditure 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 Kaczor Rodo, seconded by Trustee Hartung that due to a delay in the delivery of the Henke 12' Reversible Plow, included in the purchase agreement with the John Deere Wheel Loader, Manager Wittmeyer be authorized to cancel the plow that will result in a credit from John Deere in the amount of \$22,164.26. Manager Wittmeyer is authorized to purchase a HLA 12' Snow Blade from Pinto Construction Services, Inc. The cost not to exceed \$9,500 from the Reserve for Equipment, is subject to Permissive Referendum.

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 January 8, 2024, immediately following the Joint Town and Village meeting, scheduled for 6:00 p.m., at which time the Boards will be voting on the proposed annexations.

Moved by Trustee Hartung, seconded by Trustee Pyne to adjourn.

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