

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, August 13, 2018 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 Francis T. Hogenkamp
Trustee Jonathan E. McNatty
Trustee Shannon S. Fuhrman

Others present:

Dir. Of Public Works Michael P. Murphy
Clerk-Treasurer Mary Beth Jensen
Attorney Philip M. Marshall

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 regarding a Special Use application by Lory & Lory, requesting permission to change the use of 4191 North Buffalo Street to an eating and drinking establishment.

Mayor Clinton opened the hearing and gave a brief explanation of the application. She invited representatives of the project to the podium.

- James Wittman, the architect on the “13th Floor Brewery” project explained that the applicants are proposing to renovate the building at 4191 N Buffalo Street that was a bank, into an eating and drinking establishment. No exterior renovations are planned, only interior. He had a floor plan and site plan for anyone interested.
- Joseph Flett, President and Joseph Flett Sr. introduced themselves as President and Vice President of 13th Floor Brewery.

Mayor Clinton asked three times for favorable comments. There were none.

Mayor Clinton asked three times for comments in opposition.

- John Ricotta (4264 N Buffalo St) asked about parking.
 - James Wittman addressed the question, stating that the parking exceeded what was required by Village code.

Moved by Trustee McNatty, seconded by Trustee Hogenkamp to close the hearing at 7:04 p.m.

On the question:	4 voting “Aye” Trustee Hartung Trustee Hogenkamp Trustee McNatty Trustee Fuhrman	0 voting “Nay”	Carried
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Sheila Murphy, owner of the Grange Building next door to 4191 N Buffalo Street, asked about seating and the timetable for the project. James Wittman responded to her directly, as the hearing was already closed.

Moved by Trustee Hartung, seconded by Trustee McNatty to approve the special use request by Lory & Lory LLC to permit a change of use of 4191 North Buffalo Street to an eating and drinking establishment.

On the question: 4 voting "Aye" 0 voting "Nay" Carried
Trustee Hartung
Trustee Hogenkamp
Trustee McNatty
Trustee Fuhrman

Moved by Trustee McNatty, seconded by Trustee Hartung to accept the minutes of July 9, 2018 as presented.

On the question: 4 voting "Aye" 0 voting "Nay" Carried
Trustee Hartung
Trustee Hogenkamp
Trustee McNatty
Trustee Fuhrman

Moved by Trustee Hartung, seconded by Trustee McNatty that the vouchers numbering 2341 to 2408 in Abstract #4 of 2018-2019 in the amount of \$205,076.29 be paid as presented.

On the question: 4 voting "Aye" 0 voting "Nay" Carried
Trustee Hartung
Trustee Hogenkamp
Trustee McNatty
Trustee Fuhrman

Comments from the floor of items not on the agenda.

- Patricia Justicia Linde (40 Canterbury Ct) represented the neighborhood concerns regarding the trailer parked in their neighbor's driveway, sometimes extending into the street.
 - She cited Village Code Article IV, Section 225-12, where it states that storage of a utility trailer is prohibited.
 - She questioned the definition of "stored"
 - Sometimes orange cones are placed by the trailer which she interprets as recognition that it is dangerous.
 - She presented pictures to the Village Board and dates when it was parked.
- The matter was referred to Attorney Marshall for review.

Moved by Trustee Hartung, seconded by Trustee McNatty that the reports of the Village Justice, Associate Village Justice and Water Department for the month of July and the Treasurer's Report for the months of June and July be received and filed.

On the question: 4 voting "Aye" 0 voting "Nay" Carried
Trustee Hartung
Trustee Hogenkamp
Trustee McNatty
Trustee Fuhrman

- Director of Public Works Murphy had nothing to report.
- Trustee McNatty had nothing to report.

- Deputy Mayor Hartung reported:
 - That the Summer in the Park events at the end of July were both well attended. He thanked all who contributed to its success.
 - The 20A Waterline Project is moving along. West Quaker should be finished this week and work on East Quaker will begin next week.
- Trustee Hogenkamp reported on renovations at the Train Depot and commented on the many gallons of ice cream scooped at the Ice Cream Social.
- Trustee Fuhrman had nothing to report.
- Attorney Marshall reported that signs placed in the Village right of way, on poles or public property are considered litter. He considered that violations are not done maliciously, but out of ignorance and asked everyone to spread the word.
- Clerk Treasurer Jensen had nothing to report.
- Mayor Clinton reported that the Village is looking for volunteers to serve as members on the Planning and Zoning Board of Appeals. Anyone interested should contact the Village Office.

Moved by Trustee Hogenkamp, seconded by Trustee Hartung that a joint hearing of the Village and Town of Orchard Park be scheduled on September 10, 2018 at 7:00 p.m. to hear comments from all persons interested in the annexation petition of parcel 172.20-1-24 from the Town into the Village of Orchard Park.

On the question: 4 voting "Aye" 0 voting "Nay" Carried
 Trustee Hartung
 Trustee Hogenkamp
 Trustee McNatty
 Trustee Fuhrman

Moved by Trustee Fuhrman, seconded by Trustee Hartung that a public hearing be scheduled and advertised for September 10, 2018 after the Joint Hearing of the Village and Town of Orchard Park, for the purpose of hearing public input for the use of 2019-2020 Community Development Block Grant funds in the Village of Orchard Park.

On the question: 4 voting "Aye" 0 voting "Nay" Carried
 Trustee Hartung
 Trustee Hogenkamp
 Trustee McNatty
 Trustee Fuhrman

Moved by Trustee McNatty, seconded by Trustee Hogenkamp that the Village Board meeting schedule September 24, 2018 be cancelled.

On the question: 4 voting "Aye" 0 voting "Nay" Carried
 Trustee Hartung
 Trustee Hogenkamp
 Trustee McNatty
 Trustee Fuhrman

Moved by Trustee Hartung, seconded by Trustee Fuhrman to schedule a Village Board meeting October 1, 2018 at 7:00 p.m.

On the question: 4 voting "Aye" 0 voting "Nay" Carried
Trustee Hartung
Trustee Hogenkamp
Trustee McNatty
Trustee Fuhrman

Moved by Trustee Hogenkamp, seconded by Trustee McNatty, that because there is no second meeting this month Clerk-Treasurer Jensen be authorized to pay all vouchers submitted prior to the end of the month, after review by Deputy Mayor Hartung or Mayor Clinton.

On the question: 4 voting "Aye" 0 voting "Nay" Carried
Trustee Hartung
Trustee Hogenkamp
Trustee McNatty
Trustee Fuhrman

Moved by Trustee Hartung, seconded by Trustee Fuhrman that the following be declared surplus and Director Murphy be authorized to sell them at auction.

- 1997 International Dump Truck with plow, wing and salt body
- 2006 Ford F-350 Dump Truck with lift gate

On the question: 4 voting "Aye" 0 voting "Nay" Carried
Trustee Hartung
Trustee Hogenkamp
Trustee McNatty
Trustee Fuhrman

Moved by Trustee Fuhrman, seconded by Trustee Hartung, authorizing the Orchard Park High School to parade on Village Streets September 29, 2018 from 10:00-10:30 am for their annual Homecoming celebration. The parade will begin from the Middle School parking lot and head north on South Lincoln to Route 20A where they will parade east to Freeman Road, ending at the Orchard Park Athletic Field. Authorization contingent on permit from the NYSDOT and completed Special Events Application.

On the question: 4 voting "Aye" 0 voting "Nay" Carried
Trustee Hartung
Trustee Hogenkamp
Trustee McNatty
Trustee Fuhrman

Moved by Trustee Fuhrman, seconded by Trustee Hogenkamp that a public hearing be scheduled on September 10, 2018 on proposed Local Law #1 of 2018 amending Village of Orchard Park Municipal Code Chapter 225-7, Zoning Map.

On the question: 4 voting "Aye" 0 voting "Nay" Carried
Trustee Hartung
Trustee Hogenkamp
Trustee McNatty
Trustee Fuhrman

The next regular meeting is scheduled for September 10, 2018.

Moved by Trustee Hartung, seconded by Trustee Hogenkamp to adjourn at 7:25 p.m.

On the question: 4 voting "Aye" 0 voting "Nay" Carried
Trustee Hartung
Trustee Hogenkamp
Trustee McNatty
Trustee Fuhrman

Respectfully submitted

Mary Beth Jensen
Village Clerk-Treasurer