

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, **January 28, 2019** 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

Others present:

Dir. Of Public Works Michael P. Murphy
Clerk-Treasurer Mary Beth Jensen
Code Enforcement John Gullo

Members Excused:

Trustee Shannon S. Fuhrman

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 to hear public input on proposed Local Law #1 of 2019. Mayor Clinton opened the hearing at 7:01 pm, and explained that the Local Law will amend Chapter 46 of the Village Code. The revisions will define criteria and allow merit based raises for non-elected employees.

Mayor Clinton asked three (3) times for comments supporting proposed Local Law #1; and again three (3) times for comments in opposition. There were none.

Moved by Trustee Hartung, seconded by Trustee McNatty to close the hearing at 7:02 pm.

On the question:	3 voting “Aye”	0 voting “Nay”	Carried
	Trustee Hartung		
	Trustee Hogenkamp		
	Trustee McNatty		

Moved by Trustee Hogenkamp, seconded by Trustee Hartung that the following be adopted:

Local Law No 1 of the Year 2019

SECTION 1: Amending Chapter 46 of the Village of Orchard Park Code as follows:

Article I **Terms of Office, Salaries and Wages**

SECTION 2: Adding:

§46-4 **Salary and Wages of Unelected Employees**

The annual salary and/or wages of unelected employees shall be established in the annual budget and shall be based on the following criteria: punctuality and time management, job knowledge, self-motivation, team worker, accuracy and problem solving, customer service, licenses and certifications, and personal appearance.

SECTION 3: EFFECTIVE DATE: This local law shall take effect immediately upon filing with the Secretary of State.

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

Moved by Trustee McNatty, seconded by Trustee Hogenkamp to accept the minutes of January 14, 2019 as presented.

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

Moved by Trustee Hartung, seconded by Trustee McNatty that the vouchers numbering 2678 to 2703 in Abstract #11 of 2018-2019 in the amount of \$60,202.83 be paid as presented.

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

Comments from the floor of items not on the agenda:

- Howard Rost (300 S Lincoln Ave) asked how the Governor's proposed elimination of AIM funding will affect the Village.
 - Mayor Clinton responded that it will affect the Village budget by over \$19,000.
- John Spagnoli (115 Elmhurst Dr) commented on the denial of his request for leak allowance. Among his comments were:
 - The board acted in haste and without thorough review of his application.
 - He suggested that a reason be given in a denial letter; without a reason, the decision appears arbitrary without a definitive reason.
 - He requested that his request be reconsidered based on the information he presented.
 - He also requested that his meter be replaced; if it is faulty he does not want this issue to re-occur.
 - The 60,000 gallons of excess water in question occurred in April after the installation of a new water meter. Is it possible that a one-time glitch occurred in the meter? He feels that the manufacturer cannot guarantee that the meter is infallible.
 - The only potential areas of water loss would be a faulty toilet or a meter problem. He took action on the possible issue he had control over, that being the toilets.
 - Guidelines provided are for the reporting, procedures and processing of the applicant, not a guide for the Village Board in deciding on the merits of the application.
 - He recommended that the rules and regulations be re-written offering more substance information for the decision making of the board.

Reports:

- Code Enforcement Officer John Gullo had nothing to report.
- Director of Public Works Murphy had nothing to report.
- Trustee McNatty had nothing to report.
- Deputy Mayor Hartung had nothing to report.
- Trustee Hogenkamp reported that he has been in contact with NYSEG and 60 of the decorative lights in the Village will be repaired. Bulbs of 213 other lights in the Village will be changed to LED lights.

- Clerk Treasurer Jensen had nothing to report.
- Mayor Clinton followed up on the deer population in the Village. There is no action plan yet, but is working on creating a task group to gather information. She has been in contact with a committee member in Amherst where they have had similar issues.

Moved by Trustee McNatty, seconded by Trustee Hogenkamp to award the purchase of a 2017 Tymco Model 600 BAH Air Sweeper mounted to a 2017 International 4300-DT Chassis, to J&J Equipment for \$185,000.00. Director Murphy is authorized to submit a purchase order for the 2017 Tymco Model 300 BAH, the amount to be expended from the Reserve for Equipment in budget year 2019-2020, is subject to permissive referendum.

On the question:	3 voting "Aye" Trustee Hartung Trustee Hogenkamp Trustee McNatty	0 voting "Nay"	Carried
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Moved by Trustee Hartung, seconded by Trustee McNatty that a public hearing be scheduled and advertised for February 11, 2019 at 7 pm to hear public comment on proposed Local Law #2 of 2019, amending Chapter 204 of the Village of Orchard Park Municipal Code, "Vehicles, Junk".

On the question:	3 voting "Aye" Trustee Hartung Trustee Hogenkamp Trustee McNatty	0 voting "Nay"	Carried
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Moved by Trustee Hogenkamp, seconded by Trustee Hartung that a public hearing be scheduled and advertised for February 11, 2019 immediately following the public hearing on proposed Local Law #2, 2019, to hear public comment on proposed Local Law #3 of 2019, amending Chapter 225 of the Village of Orchard Park Municipal Code, "Zoning".

On the question:	3 voting "Aye" Trustee Hartung Trustee Hogenkamp Trustee McNatty	0 voting "Nay"	Carried
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Moved by Trustee McNatty, seconded by Trustee Hogenkamp that a public hearing be scheduled and advertised for February 11, 2019, immediately following the public hearing on proposed Local Law #3, 2019, to hear public comment on proposed Local Law #4 of 2019, amending Chapter 166 of the Village of Orchard Park Municipal Code, "Peddlers and Solicitors".

On the question:	3 voting "Aye" Trustee Hartung Trustee Hogenkamp Trustee McNatty	0 voting "Nay"	Carried
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Moved by Trustee Hogenkamp, seconded by Trustee Hartung, to amend the 2018-2019 budget as follows:

Increase Office Equipment budget by	\$ 424.00
Decrease Office Computer and Copier budget by	\$ 424.00
Increase Taxes budget by	\$ 317.77
Increase Building Inspector Contractual budget by	\$ 632.35
Decrease Professional Services budget by	\$ 950.12
Increase Celebrations Payroll budget by	\$ 629.78
Decrease Storm Sewers Payroll budget by	\$ 629.78

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

Moved by Trustee McNatty, seconded by Trustee Hogenkamp that the Orchard Park Lions Club be authorized to close North Buffalo Street from Quaker Street to the north access driveway of the Village Center Apartments; and Princeton Place from North Buffalo Street to Linwood Avenue from 11:00 AM to 5:00 pm on Saturday, July 27, 2019 to accommodate the 25th annual car & motorcycle show. The street must be kept clear for emergency vehicles and access to businesses and residences will be assured as necessary. The Lions Club will be responsible for all barricading and coordinating the closure with the police department and the fire company. Permission contingent upon receipt of proper insurance certificates and permit from the NYS DOT.

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

Moved by Trustee Hartung, seconded by Trustee McNatty that Mayor Clinton be authorized to sign an agreement with NYSEG to replace the existing Cobra Head style street light fixtures within the Village with Light Emitting Diode Cobra Head street light fixtures. The cost of the project is \$7,825.99 and is to be expended from the Public Improvement Reserve fund and is subject to permissive referendum.

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

The next regular meeting is scheduled for February 11, 2019.

Moved by Trustee Hartung, seconded by Trustee Hogenkamp to adjourn at 7:28 pm.

Respectfully submitted

Mary Beth Jensen
Village Clerk-Treasurer