

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, April 8, 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 Shannon S. Fuhrman

Others present:

Dir. Of Public Works Michael P. Murphy
Clerk-Treasurer Mary Beth Jensen

Members excused:

Trustee Jonathan McNatty

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.”

Mayor Clinton opened the organizational meeting and made the following Trustee/Mayoral duty designations:

- Mayor Clinton
 - Chief Fiscal Officer
 - Budget Director
 - Personnel Officer
 - Business Community Liaison
 - Insurance
 - Town Board Liaison
 - Youth Court Liaison
- Trustee Hartung
 - Deputy Mayor
 - Village Events and Celebrations
 - Planning Board Liaison
 - Youth Liaison
 - Public Works
 - Street Lights, Sidewalks and Signals
 - 20A Waterline project
- Trustee Hogenkamp
 - Beautification
 - Senior Projects
 - NYSEG
 - State & County Liaison
 - Town Tree conservancy Liaison
 - WNY Railway Restoration Project
 - Rails to Trails Liaison

- Trustee Fuhrman
 - Railroad Bridge Paint Project
 - Franchises
 - Solid Waste & Recycling
 - Revenue from outside the Village
 - Policy and Procedure Review
- Trustee McNatty
 - Master Plan Update
 - Zoning Board Liaison
 - Building Department Liaison
 - Village Code Review
 - Public Safety
 - Website Review

Moved by Trustee Hartung, seconded by Trustee Hogenkamp that the Mayor's Trustee Duty Designations be approved.

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

Member of the Zoning Board of Appeals – **Scott Hartung**

Moved by Trustee Fuhrman, seconded by Trustee Hogenkamp that the Mayor's five year appointment be approved.

On the question:	3 voting "Aye"	1 Recusal	0 voting "Nay"	Carried
	Mayor Clinton	Trustee Hartung		
	Trustee Hogenkamp	(appointee's brother)		
	Trustee Fuhrman			

Member of the Planning Board – **Dale Pyne**

Moved by Trustee Hartung, seconded by Trustee Hogenkamp that the Mayor's five year appointment be approved.

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

Administrator / Clerk – Treasurer – **Mary Beth Jensen**

Moved by Trustee Fuhrman, seconded by Trustee Hartung that the Mayor's two year appointment be approved.

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

Member of the Zoning Board of Appeals – Ann Dillon Flynn

Moved by Trustee Hogenkamp, seconded by Trustee Fuhrman that the Mayor's two year appointment be approved.

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

Affirmative Action Officer – Mary Beth Jensen

Moved by Trustee Hartung, seconded by Trustee Hogenkamp that the Mayor's one year appointment be approved.

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

Director of Public Works – Michael P Murphy

Moved by Trustee Fuhrman, seconded by Trustee Hartung that the Mayor's one year appointment be approved.

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

Attorney – Philip M. Marshall

Moved by Trustee Hogenkamp, seconded by Trustee Fuhrman that the Mayor's one year appointment be approved.

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

Prosecutor – Nancy Hart

Moved by Trustee Hartung, seconded by Trustee Hogenkamp that the Mayor's one year appointment be approved.

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

Code Enforcement Officer – John Gullo

Moved by Trustee Fuhrman, seconded by Trustee Hartung that the Mayor's one year appointment be approved.

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

Chairman - Zoning Board of Appeals – **Steve Snyder**

Moved by Trustee Hogenkamp, seconded by Trustee Hartung that the Mayor's one year appointment be approved.

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

Chairman - Planning Board – **Ronald G. Tronolone**

Moved by Trustee Fuhrman, seconded by Trustee Hogenkamp that the Mayor's one year appointment be approved.

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

Secretary - Zoning Board of Appeals – **Christine Hanavan**

Moved by Trustee Hartung, seconded by Trustee Hogenkamp that the Mayor's one year appointment be approved.

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

Alternate members of the Zoning Board of Appeals – **Kevin Moran and Dave Obrochta**

Moved by Trustee Fuhrman, seconded by Trustee Hartung that the Mayor's one year appointment be approved.

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

Alternate members of the Planning Board – **Monica Bruce and Krista Ehlert**

Moved by Trustee Hogenkamp, seconded by Trustee Fuhrman that the Mayor's one year appointment be approved.

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

Dog Control Officers –**Kevin Masterson, Wende Mulawka, and Thomas McCarthy**

Moved by Trustee Hartung, seconded by Trustee Hogenkamp that the Mayor's one year appointment be approved.

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

Registrar – Remy Orffeo

Moved by Trustee Fuhrman, seconded by Trustee Hartung that the Mayor's one year appointment be approved.

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

Deputy Registrar - Kathy Swarbrick

Moved by Trustee Hogenkamp, seconded by Trustee Fuhrman that the Mayor's one year appointment be approved.

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

Associate Village Justice – Sean O'Brien

Moved by Trustee Hartung, seconded by Trustee Hogenkamp that the Mayor's one year appointment be approved.

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

Clerk to Village Justice – Marie Falzone

Moved by Trustee Fuhrman, seconded by Trustee Hartung that the Mayor's one year appointment be approved.

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

Clerk (Court) – Cynthia Jondle

Moved by Trustee Hogenkamp, seconded by Trustee Fuhrman that the Mayor's one year appointment be approved.

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

Disaster Coordinator – Rich Mrugalski

Moved by Trustee Hartung, seconded by Trustee Hogenkamp that the Mayor's one year appointment be approved.

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

Assistant Disaster Coordinator – **Robert Benning**

Moved by Trustee Fuhrman, seconded by Trustee Hartung that the Mayor's one year appointment be approved.

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

Moved by Trustee Hogenkamp, seconded by Trustee Fuhrman that the regular Village Board meeting for the fiscal 2019-2020 be scheduled for 7:00 PM on the second and fourth Monday of each month, with the following exceptions:

- **July, August & December 2019** the Village Board will only meet on the second Monday.

Be it further moved that a work session for the Board of Trustees be scheduled on each Monday of the month as needed.

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

Moved by Trustee Hartung, seconded by Trustee Hogenkamp that the **Planning Board Meetings** be scheduled the first Tuesday of each month at 7:00 PM.

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

Moved by Trustee Fuhrman, seconded by Trustee Hartung that the **Zoning Board Meetings** be scheduled for the fourth Wednesday after the first Tuesday of the month at 7:00 p.m., except for December, the meeting to be scheduled for December 26, 2019.

- **Meeting times and dates are listed on the Village Website Calendar.**

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

Moved by Trustee Hogenkamp, seconded by Trustee Fuhrman that Community Bank be designated as the official depository for the Village of Orchard Park for the fiscal year 2019-2020.

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

Moved by Trustee Hartung, seconded by Trustee Hogenkamp that the Orchard Park Bee be named the official newspaper and the Buffalo News and Orchard Park Sun be named the alternate official newspaper for the Village of Orchard Park for the fiscal year 2019-2020.

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

Moved by Trustee Fuhrman, seconded by Trustee Hartung that Mayor Clinton be authorized to sign a one year agreement with Marquis Engineering, retaining their engineering services on an "as needed" basis.

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

Moved by Trustee Hogenkamp, seconded by Trustee Fuhrman that a stipend of \$50 per month be credited to Director Murphy for cell phone use.

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

Moved by Trustee Hartung, seconded by Trustee Hogenkamp that Medicare costs deducted from his and his spouse's Social Security payments, be reimbursed to Director Murphy.

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

Moved by Trustee Fuhrman, seconded by Trustee Hartung that the mileage rate be set for the fiscal year 2019-2020 at 58 cents per mile.

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

Moved by Trustee Hogenkamp, seconded by Trustee Fuhrman that the Village Justice be authorized to hire a stenographer when necessary at a cost up to \$100.00 per hour for the fiscal year 2019-2020.

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

Moved by Trustee Hartung, seconded by Trustee Hogenkamp that representatives of the Village be authorized to attend Erie County Village Officials meetings, the Erie County Governments meetings, the N.Y.S. Conference of Mayors meetings and the Annual Southern Tier West Conference, with all expenses incidental to the meetings to be paid by the Village.

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

Moved by Trustee Fuhrman, seconded by Trustee Hartung that the Administrator and Deputy Clerk be authorized to attend Erie County Municipal Administrative Officers Association meetings and the NYCOM and OSC Fall Training School with all expenses incidental to the meetings to be paid by the Village.

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

Moved by Trustee Hogenkamp, seconded by Trustee Fuhrman that an employee of the Village Department of Public Works be authorized to attend the Erie County Town Highway Superintendents Association meetings and the Village Public Works and Streets Superintendents meetings with all expenses incidental to the meetings and schools to be paid by the Village.

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

Moved by Trustee Hartung, seconded by Trustee Hogenkamp that two Department of Public Works employees be authorized to attend NYCOM Public Works School to be held in the fall, the Western New York Stormwater Conference and the N.Y.S. Rural Water School with all expenses incidental to the schools to be paid by the Village.

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

Moved by Trustee Fuhrman, seconded by Trustee Hartung that the Code Enforcement Officer be authorized to attend the Niagara Frontier Building Officials meetings with all expenses incidental to the meeting to be paid by the Village.

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

Moved by Trustee Hogenkamp, seconded by Trustee Fuhrman that the Code of Ethics of the Village has been reviewed and there will be no revisions.

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

Moved by Trustee Hartung, seconded by Trustee Hogenkamp that the following policies of the Village have been reviewed and there will be no revisions:

- Procurement Policy
- Time Keeping Policies
- Vehicle Policy
- Sexual Harassment Policy

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

The Organizational meeting concluded at 7:15 pm.

A Tentative Budget Hearing was scheduled and advertised at this time to hear public comment on the Village Tentative Budget for the fiscal year 2019-2020.

Mayor Clinton opened the budget hearing at 7:17 with highlights of the tentative budget:

- Staying under the Tax Cap
- Included AIM funding in revenues
- Most payroll increased, elected received a 2% raise
- The Assessed Value decreased
- Road projects and Equipment purchases
- Tax Rate increase of 6 cents

Mayor Clinton asked three times for comments in favor of the tentative budget. There were none.

Mayor Clinton asked three times for comments opposed to the tentative budget. There were none.

Moved by Trustee Fuhrman, seconded by Trustee Hogenkamp that the tentative budget hearing be closed at 7:18 pm.

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

Moved by Trustee Hogenkamp, seconded by Trustee Fuhrman that the budget for the fiscal year 2019-2020 be adopted as presented.

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

A Public Hearing was scheduled and advertised at this time to hear public comment on Proposed Local Law #5, 2019.

Mayor Clinton opens the Public Hearing and gives a brief description of the proposed Local Law, stating that a COPY is available on the front rail.

Mayor Clinton then asked three times for comments supporting the Local Law. There were none.

Mayor Clinton then asked three times for comments opposing the Local Law. There were none.

Moved by Trustee Hartung, seconded by Trustee Hogenkamp that the public hearing be closed at 7:20 pm.

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

Moved by Trustee Fuhrman, seconded by Trustee Hartung that Local Law #5 of 2019, amending Chapter 123 of the Village Code of the Village of Orchard Park entitled Flood Damage Prevention, be adopted as presented. (attached)

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

Moved by Trustee Hogenkamp, seconded by Trustee Fuhrman to accept the minutes of March 25, 2019 as presented.

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

Moved by Trustee Hartung, seconded by Trustee Hogenkamp that the vouchers numbering 2806 to 2829 in Abstract #16 of 2018-2019 in the amount of \$36,674.45 be paid as presented.

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

Comments from the floor of items not on the agenda:

- Howard Rost (S. Lincoln Avenue) asked if Village residents were entitled to the free mulch advertised by the Town (Compost Site). He was assured that it includes Village residents.

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

- Director of Public Works Murphy had nothing to report.
- Deputy Mayor Hartung had nothing to report.
- Trustee Hogenkamp had nothing to report.
- Trustee Fuhrman had nothing to report.
- Clerk Treasurer Jensen had nothing to report.

- Mayor Clinton reported that there will be a presentation on the deer population on May 11 at 10 am in the Municipal Court Room. The presenter is then available to visit neighborhoods after the presentation, anyone interested should call the Village Office or email Mayor Clinton.

Moved by Trustee Hogenkamp, seconded by Trustee Fuhrman that Mayor Clinton be authorized to sign a contract with Independent Health for employee health insurance coverage plans for the period June 2019-May 2020.

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

Moved by Trustee Hartung, seconded by Trustee Hogenkamp to authorize Mayor Clinton to sign the Employee Memorandum of Understanding and Administrative Policy for the fiscal year 2019-2020.

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

Moved by Trustee Fuhrman, seconded by Trustee Hartung authorizing the annual Newsletter and Water Quality Report to be mailed to property owners with their 2019-2020 Village Tax Bill.

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

Moved by Trustee Hogenkamp, seconded by Trustee Fuhrman that a covered ditch permit be authorized for Jonathan Jensen of 205 Elmhurst Drive to install 12" A.D.S. pipe and two 12"tees per the petition received.

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

Moved by Trustee Hartung, seconded by Trustee Hogenkamp that the Orchard Park Little League be authorized to parade on Village Streets at 10 am May 4, 2019 per details on the special event application submitted. The Little League will be responsible for coordinating the road closures with the Police Department. Approval contingent upon proper insurance submittals.

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

Moved by Trustee Fuhrman, seconded by Trustee Hartung that the Orchard Park VFW Post 6247 be authorized to parade on Village Streets on Monday, May 27, 2019. The parade will start at 9:00 from the Orchard Park Library and proceed north on South Buffalo St to Veterans Park on West Quaker Street. Permission contingent on receipt of proper insurance certificates. A State Permit by the DOT has been received. The Orchard Park Police Department is to be notified of the parade and route.

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

The next regular meeting is scheduled for April 22, 2019.

Moved by Trustee Hartung, seconded by Trustee Fuhrman to adjourn at 7:27 pm.

Respectfully submitted

Mary Beth Jensen
Village Clerk-Treasurer