

**EXECUTIVE SESSION**

Board of Trustees  
Village of Kenmore

Municipal Building  
April 2, 2024

PRESENT:	Hon. Patrick Mang	Mayor
	Hon. Paul Catalano	Trustee
	Hon. Joseph DeCecco	Trustee
	Hon. Andrea Czopp	Trustee

**EXECUTIVE SESSION TO DISCUSS TWO (2) FINANCIAL AND TWO (2) CONTRACTUAL MATTERS.**

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Trustee Czopp moved to go into Executive Session to discuss two (2) financial matters and two (2) contractual matters.

Seconded by Trustee Catalano and adopted by a full vote in the affirmative.

Trustee Czopp moved to end the Executive Session.

Seconded by Trustee DeCecco and adopted by a full vote of all members present.

Kathleen P. Johnson  
Village Clerk/Treasurer

## CORPORATION PROCEEDINGS

Board of Trustees  
Village of Kenmore

Municipal Building  
April 2, 2024

PRESENT:	Hon. Patrick Mang	Mayor
	Hon. Paul Catalano	Trustee
	Hon. Joseph DeCecco	Trustee
	Hon. Andrea Czopp	Trustee

The meeting was called to order at 7:30 p.m. by Mayor Mang. The Mayor led the Pledge of Allegiance.

### **BOARD CONDUCTED A HEARING PERTAINING TO LOCAL LAW #1, 2024 – A LOCAL LAW TO OVERRIDE THE PROPERTY TAX CAP.**

Trustee DeCecco moved to open a hearing pertaining to proposed Local Law #1 – a Local Law to Override the Tax Cap as it pertains to the 2024-2025 Fiscal Year budget.

Seconded by Trustee Czopp and adopted by a full vote in the affirmative.

The Mayor read prepared remarks about the 24/25 budget, a copy of which is attached to these minutes for record purposes.

The Mayor explained that the hearing was open and that the Board would address questions concerning the Tax Override, and not the budget. Budget questions would be addressed later in the meeting. He apologized for any confusion as he had delivered remarks about the budget. The Mayor explained that anyone wishing to be heard should come forward, state his/her name and address for the record before asking any question. He asked if there were any questions or comments pertaining to Local Law #1 – a Local Law to Override the Property Tax Cap.

Richard Ward of 51 LaSalle Avenue had a question about what the capital charge on the water bill is used for. Clerk-Treasurer Kathleen P. Johnson explained that this hearing was only

to address the Tax Cap Override, and that the capital charge question could be addressed later in the meeting.

Michael Jarvis of 448 Westgate Road also asked a budget question and was asked to hold his question for the budget hearing. The Mayor apologized again for the confusion in reading his budget address before the override hearing was concluded.

Ron Wakefield of 48 East Hazeltine Avenue asked how long the duration of the tax override would be in place.

Mayor Mang responded that the local law would be in effect for one year and that it is required to be passed to allow the Board to pass any budget which exceeds the State’s 2% Property Tax Cap.

Trustee Catalano moved to close the Hearing

Seconded by Trustee DeCecco and approved by a full vote in the affirmative

**BOARD APPROVED LOCAL LAW #1, 2024: OVERRIDE THE PROPERTY TAX CAP.**

Trustee Czopp moved to approve Local Law #1, 2024- a local law authorizing the Board of Trustees to override the Property Tax Cap for the 2024-2025 Fiscal Year Budget.

Seconded by Trustee Catalano.

A roll call vote was taken:

Trustee Catalano	Aye
Trustee DeCecco	Aye
Trustee Czopp	Aye
Mayor Mang	Aye

**BOARD CONDUCTED A HEARING PERTAINING TO THE TENTATIVE BUDGET FOR THE VILLAGE OF KENMORE FOR FISCAL YEAR 2024-2025.**

The Clerk advised that this was the time and place called for in the legal notice to conduct a hearing pertaining to the 2024-2025 Fiscal Year budget.

Trustee DeCecco moved to open the hearing.

Seconded by Trustee Czopp and adopted by a full vote in the affirmative.

Suzanne Schaffer of 801 Colvin Blvd. stated she is glad to hear that the homestead tax increase isn't 9%, but she thinks 5.64% is still a big increase. That said, she is 100% in favor of moving forward with the budget because she understands that everything has gone up. Ms. Schaffer stated the Department of Public Works crews are wonderful. She questions why a Town of Tonawanda Garbage Truck was collecting trash on her street last week.

Superintendent of Public Works, David Root explained that there wasn't a Village truck available because both trucks broke down and were being repaired.

Mayor Mang added that we've held off buying a garbage truck to save money. A truck is \$350,000.00.

Ms. Schaffer states that she was a nurse and she understands that you need the right tools and equipment to do your job. She supports the purchase of a new vehicle for the DPW.

Richard Ward of 51 LaSalle Avenue asked if there has ever been any consideration to combining with the Town of Tonawanda to save costs.

Before addressing that question, Clerk-Treasurer Kathleen P. Johnson answered his earlier question, explaining that, while water is part of the Village's total budget, the water fund is paid for through water/sewer payments. Tax dollars are not used to pay for the water fund.

Surcharges are used to pay for the costs associated with water, sanitary sewer charges and capital improvements to our system.

Mayor Mang then addressed Mr. Ward's question regarding combining with the Town to save money. He explained that we already have intermunicipal agreements with the Town for Tax Collection and for the Assessor's Office. We've tried other combined services which were not successful – and actually resulted in less service to Village residents. He stated that the Village is always looking for ways to save money and that many times this originates at the Town level.

Mike Jarvis of 44 Westgate Road asked what portion of the budget is for public safety.

Clerk-Treasurer Kathleen P. Johnson stated Kenmore Police Department and the Kenmore Fire Department is about 23.8% of the general fund.

Nicholas Deeb of 18 Kinsey Avenue stated concerns about the conditions of Elmwood Avenue.

The Mayor explained that Elmwood is a County Road and that the County is responsible for its maintenance and repair.

Mr. Deeb questioned this information, stating that Elmwood has been in bad shape for several years. He thinks the Village should have done something.

The Mayor responded that only the County can make repairs to Elmwood.

Mr. Deeb stated \$3.2 million for police is too much. He believes that the average wage is \$80,00.00.

Mayor Mang stated he is proud of the Kenmore Police Department and believes that the department is important to the Village. He questioned where Mr. Deeb got his figure for salary.

Mr. Deeb also asked why the police department has a Dodge Ram truck.

Mayor Mang responded the truck was purchased is in case of bad weather. He noted that during the December '22 blizzard, the KPD didn't miss a call, but explained that we had to use private vehicles owned by some of the officers in order to get through, when the patrols were unable to do so. Following the storm, it was decided to purchase one truck which would be used all the time for patrol but that would allow us to be better able to address calls during severe weather.

A question was asked as to the percentage of the budget attributed to street maintenance.

Clerk/Treasurer Johnson replied that she didn't have that information with her, but that she would be happy to provide that information later.

Larry Maglietto of 281 Euclid Avenue stated he is a 20-year resident. Mr. Maglietto said he loves the services and the promptness of services provided by Kenmore. He doesn't feel it's necessary to knit-pick the budget. He feels that the budget increases are realistic.

Ron Wakefield of 48 East Hazeltine Avenue stated that he purchased his home 20 years ago and that with the amount he pays for taxes (including school and county/town) he could have bought his house twice.

Mary Jones of 193 Keller Avenue stated the Village's services and response times are outstanding. She thanked the Mayor, Board and employees for all they are doing. She stated that budget increases are to be expected and that she understands that the Board has to address the increases to expenses.

Davis Burton of 53 Warren Avenue is a two-year resident. He notes that the Board had to override the tax cap last year, too. He feels that this gives the Board too much power.

Mayor Mang said that we don't take overrides for granted. He said that post-COVID prices went up everywhere. He noted that, while we did pass an override last year, there have been many times where no override was needed. He noted that New York State doesn't even keep within a 2% cap for its spending.

Mr. Burton asked how residents can help to address this.

The Mayor urged residents to call their New York State Representatives and to ask for an increase AIM (State Aid) funding. He explained that just a few weeks ago, all of the local government mayors and supervisors gathered in Buffalo to request an increase in this needed funding. He stated that our State Aid funding has remained unchanged for over 20 years and hasn't kept pace with increased costs. Any increase to revenues helps the amount of tax dollars that have to be raised.

Richard Ward of 51 LaSalle Avenue Stated there's an Air B&B next door to his home. He questions if Air B&Bs pay more taxes,

The Mayor replied that Air B&Bs are not allowed in Kenmore. They are illegal. He asked Mr. Ward for the address so that we could follow up on this information. Mr. Ward declined to do so.

Suzanne Schaffer of 801 Colvin Blvd. asked if the Board considered allowing for advanced payment of taxes for a reduced cost to the taxpayer. She feels that senior citizens, for example, would prefer to pay earlier if it meant they could get a discount to their taxes.

The Mayor stated that has not been considered. He's not sure that that is allowed.

Mary Barber of 210 Lincoln Blvd. stated that she lives next to the police department. She states that she has seen police officers plowing snow and carrying out boxes during the move to

the Community Center. She feels that they should be out on patrol and that Village employees who are paid less, should do those tasks.

The Mayor thanked her for her comments.

Joe Farage of 2620/30 Elmwood Avenue stated the Police Department deserves to have a great headquarters, but wonders why the Village didn't move the department to Rite Aid.

The Mayor explained that by the time the Rite Aid property became available, the Village had already expended significant money in engineering, architecture, testing, etc. and that it was determined that we were too far into the process to start from square one. He stated that the plans for the new PD are well underway and that the new station will be something Kenmore can take a lot of pride in.

Mr. Farage said he's concerned because there is no parking at Kenmore Police Department and that Rite Aid would have provided additional parking.

The Mayor stated that there's plenty of parking across the street across the street and that, as a result, there will be more available parking on Lincoln.

Melissa Foster of 240 Parkwood Avenue thanked the board for all they do. She said that she's having trouble locating the tentative budget on line.

Clerk-Treasurer Kathleen P. Johnson explained where to find the budget online.

Kevin Hoth of 39 LaSalle Avenue asked about curb ramps, and asked if the Village pays prevailing wage for these projects.

The Mayor explained that these projects are being paid for through Community Development Block Grant funding, not tax dollars. All of our projects are paid using prevailing wage.

Nanci DeMeo of 151 Hamilton Blvd. questioned why Kenmore pays more taxes than any other municipality.

The Mayor replied that he would need to look into whatever report she is looking at. He noted that Kenmore is one of the only full service villages in Western New York. Our budget is set to meet operating expenses.

Tim Miller of 76 Hiler Avenue stated he purchased his home in 2019 and hasn't had clear water since his purchase. He states that it's brown and that he can't drink it, brush his teeth with it, wash clothes or dishes with it. He says that this has been going on for five years and has brought this to the Village's attention, but that there has been no response.

Superintendent of the Department of Public Works David Root responded the Village has been in contact with him, and that they are aware of the issue. Mr. Root explained that no one else on the street has made a similar complaint which makes it harder to investigate. He reports that the Village is working with engineers for the last three weeks. He also states that the DPW has been digging to try to locate the source of the problem and that they are flushing his line every week to help. He would like to schedule interior plumbing inspection to see if that provides any answers.

Mayor Mang echoed that the Board is also aware of this situation. Mr. Miller stated that no one has responded to him.

Melissa Foster of 240 Parkwood Avenue stated she still can't locate the budget on line.

Clerk-Treasurer Kathleen P. Johnson provided instructions as to where to find the budget online.

As no one wished to be heard, the Mayor asked if a Trustee wished to Close the Hearing.

Trustee Catalano moved to close the hearing.

Seconded by Trustee DeCecco and adopted by a full vote in the affirmative.

**BOARD CONDUCTED A HEARING PERTAINING TO LOCAL LAW #2, 2024:  
AMENDING THE RESTRICTED BUSINESS PERMITTED USES.**

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The Clerk advised that this was the time and place called for in the legal notice to conduct a hearing pertaining to Local Law #2, 2024: Amending the Restricted Business Permitted Uses.

Trustee Czopp moved to open the hearing.

Seconded by Trustee Catalano and adopted by a full vote in the affirmative.

No comments or questions were brought to the Board's attention.

Trustee DeCecco moved to close the hearing.

**BOARD CONDUCTED A HEARING PERTAINING TO LOCAL LAW #3, 2024:  
REGULATING TOBACCO, HOOKAH, VAPING AND CANNABIS  
ESTABLISHMENTS.**

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The Clerk advised that this was the time and place called for in the legal notice to conduct a hearing pertaining to Local Law #3, 2024:

Trustee Czopp moved to open the hearing.

Seconded by Trustee Catalano and adopted by a full vote in the affirmative.

Patrick Leman of 72 East Girard asked what this law was about.

The Mayor replied that it defines what types of businesses are allowed to operate in the restricted business district and how to regulate these types of establishments.

No further comments or questions were brought to the Board's attention.

Trustee Czopp moved to close the hearing.

Seconded by Trustee DeCecco and adopted by a full vote in the affirmative.

**BOARD APPROVED A RESOLUTION FOR THE ANNUAL VILLAGE COURT  
AUDIT.**

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Trustee Czopp moved to approve a resolution for the annual Village Court audit. A copy of the Resolution is attached to these minutes for record purposes.

Seconded by Trustee Catalano and adopted by a full vote in the affirmative.

**BOARD APPROVED AN AGREEMENT WITH ERIE COUNTY BOARD OF  
ELECTIONS.**

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Trustee DeCecco moved to approve an agreement with Erie County Board of Elections, allowing primary and general elections to take place in the Kenmore Community Center. A copy of the agreement is attached to these minutes for record purposes.

Seconded by Trustee Czopp and adopted by a full vote in the affirmative.

**BOARD APPROVED A RESOLUTION FOR THE STANDARD WORK DAY AND  
REPORTING FOR AN ELECTED OFFICIAL.**

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Trustee Catalano moved to approve a Resolution for the Standard Work Day and Reporting for Justice Bestine. A copy of the Resolution is attached to these minutes for record purposes.

Seconded by Trustee DeCecco and adopted by a full vote in the affirmative.

**BOARD APPROVED A RESOLUTION PERTAINING TO THE KENMORE VOLUNTEER FIREFIGHTER'S SERVICE AWARD PROGRAM 2023.**

Trustee Czopp moved to approve a resolution approving the service points for the Kenmore Volunteer Firefighter's Service Award Program for 2023. A copy of the Resolution is attached to these minutes for record purposes.

Seconded by Trustee Catalano and adopted by a full vote in the affirmative.

**BOARD APPROVED AND AWARDED A BID FOR FIRE PROTECTION FOR THE KENMORE POLICE RENOVATION AND EXPANSION**

Trustee DeCecco moved to approve and award a bid for Fire Protection for the Kenmore Police Renovation and Expansion Project to Davis-Ulmer Fire Protection, Inc. for a low bid of \$98,775.00

Seconded by Trustee Czopp and adopted by a full vote in the affirmative.

**BOARD APPROVED AND AWARDED A QUOTE FOR ENVIRONMENTAL TESTING AND SAMPLES FOR THE KENMORE POLICE RENOVATION AND EXPANSION PROJECT.**

Trustee Catalano moved to approve and award a quote for testing and samples for the Kenmore Police Renovation and Expansion Project to AMD Environmental.

Seconded by Trustee DeCecco and adopted by a full vote in the affirmative.

**ABSTRACT OF AUDITED VOUCHERS.**

Trustee Czopp offered the following resolution and moved for its adoption:

**RESOLVED**, that the mayor be and he hereby is authorized to sign the Abstract of Audited vouchers dated April 2, 2024, in the amount of \$1,566,721.92; General Fund \$183,595.45: Water

Fund \$5,770.00 Sewer Fund \$5,450.00; Capital Fund \$1,371,906.47; to direct the Treasurer to pay each of the listed claimants in the amount appearing opposite his/her name.

Seconded by Trustee Catalano and adopted by a full vote in the affirmative.

### **INVITATION FOR PUBLIC COMMENT/QUESTIONS**

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The Mayor asked if anyone wished to be heard.

Mark Aquino, Esq., representing the developer of the St. Paul School Planned Unit Development Project, came to update the board. He explained that financing is in place and that the project is moving forward, but that his client still has to finalize the PILOT and the water easement with parish. He thanked the board for any assistance they can provide. He knows the Board has been waiting for this project to move forward for quite some time.

Trustee Czopp asked if he has been in contact with the Diocese.

Mr. Aquino replied that he has, but as an attorney, he can only go through their attorney.

There were no further questions or comments.

The meeting was adjourned.

The next meeting of the Board of Trustees will be held on April 16, 2024 at 7:30 p.m.

Kathleen P. Johnson  
Village Clerk/Treasurer