

CORPORATION PROCEEDINGS

Board of Trustees
Village of Kenmore

Municipal Building
September 7, 2021

PRESENT:	Hon. Patrick Mang	Mayor
	Hon. Katherine Bestine	Trustee
	Hon. Joseph DeCecco	Trustee

ABSENT:	Hon. Paul Catalano	Trustee
	Hon. Katie Burd	Trustee

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

BOARD APPROVED A SHARED SERVICE AGREEMENT WITH THE NYSDOT.

Trustee Bestine moved to approve a shared service agreement with the New York State Department of Transportation for the shared services, exchange or lending of materials or equipment in connection with the maintenance of State and Municipal roads.

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

BOARD APPROVED A RESOLUTION WITH RESPECT TO A DEPARTMENT OF ENVIRONMENT AND CONSERVATION GRANT.

Trustee DeCecco moved to approve a Resolution with respect to a Department of Environment and Conservation Grant to address flow monitoring through sewer cleaning and inspections.

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

BOARD APPROVED THE APPOINTMENT OF A WORKING CREW CHIEF FOR FOR THE DEPARTMENT OF PUBLIC WORKS.

Trustee Bestine moved to approve the appointment of Peter D. Breitnauer as Working Crew Chief for Sanitation for the Department of Public Works, effective September 8, 2021, at a pay rate of \$31.37/hr.

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

BOARD APPROVED THE APPOINTMENT OF AN AUTOMOTIVE MECHANIC FOR THE DEPARTMENT OF PUBLIC WORKS.

Trustee DeCecco moved to approve the appointment of Kris Polaske as an Automotive Mechanic for the Department of Public Works, effective September 8, 2021, at a pay rate of \$29.75/hr.

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

BOARD APPROVED THE HIRING OF A SEASONAL EMPLOYEE FOR THE DEPARTMENT OF PUBLIC WORKS.

Trustee Bestine moved to approve the hiring of Even Fell as a seasonal employee for the Department of Public Works, effective September 8, 2021.

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

BOARD APPROVED THE HIRING OF A POLICE OFFICER.

Trustee DeCecco moved to approve the hiring of Michael Krotz as a Police Officer for the Kenmore Police Department, effective September 13, 2021, with an annual salary of \$63,107.00.

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

BOARD APPROVED THE HIRING OF A PART-TIME PUBLIC SAFETY DISPATCHER FOR THE KENMORE POLICE DEPARTMENT.

Trustee Bestine moved to approve the hiring of Justin Tromble as a part-time Public Safety Dispatcher for the Kenmore Police Department, effective September 8, 2021, at a pay rate of \$16.55/hr.

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

BOARD APPROVED AND GRANTED PERMISSION TO THREE POLICE OFFICERS TO ATTEND A TRAINING COURSE.

Trustee DeCecco moved to approve and grant permission to Police Officers Anthony Catania, Brian Benson and Brad Caruana to attend “Suspect Tactics and Perimeter Containment” course on September 10, 2021, with expenses.

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

BOARD APPROVED AND GRANTED PERMISSION TO A POLICE OFFICER TO ATTEND A TRAINING COURSE.

Trustee Bestine moved to approve and grant permission to Police Officer Adam Agugliaro to attend “Firearms Instructor” course on September 13-24, 2021, with expenses.

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

BOARD APPROVED AND GRANTED PERMISSION TO TWO POLICE OFFICERS TO ATTEND A TRAINING COURSE.

Trustee DeCecco moved to approve and grant permission to Police Officers Shawn Amann and Kyle Evanetski to attend the “Breath Test operator” course on September 13-15 2021, with expenses.

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

BOARD APPROVED AND GRANTED PERMISSION TO A POLICE OFFICER TO ATTEND A TRAINING COURSE.

Trustee Bestine moved to approve and grant permission to Police Officer Adam Agugliaro to attend “Instructor Development School” on September 27-October 9, 2021, with expenses.

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

BOARD APPROVED THE HIRING OF A PART-TIME DRIVER FOR THE KENMORE FIRE DEPARTMENT.

Trustee DeCecco moved to approve the hiring of John Lauck of 126 Stoneleigh Avenue as a part-time driver for the Kenmore Fire Department at the pay rate of \$18.18/hour, effective September 8, 2021.

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

BOARD APPROVED A CHANGE ORDER FOR THE 2020 CDBG SANITARY SEWER LINING PROJECT.

Trustee Bestine moved to approve a Change Order for the 2020 CDBG Sanitary Sewer Lining Project, in the amount of \$17,737.50.

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

BOARD CONDUCTED A HEARING UNDER CHAPTER 7 ARTICLE V: UNSAFE BUILDINGS PERTAINING TO 66 ENOLA AVENUE.

Trustee Bestine moved to open the hearing.

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

The Clerk advised that this was the time and place to conduct a hearing under Chapter 7 Article V: Unsafe Buildings, pertaining to 66 Enola Avenue.

The property owner Robert Urben was present. Building Inspector Michael Burns stated that the home has received 8-10 violations, most recently on August 3, 2021. Violations are for general sanitation, trash, junk and debris.

The Building Inspector then presented photographs, which were reviewed by the Board. Inspector Burns stated that the house, in its current condition, is poor, unsanitary and unsafe. It's hard to see into the back yard from the right of way. Rats have been seen on and around the property.

Mr. Urben stated that he has lots of pallets on the property. He stated that he was not aware of any of the violation notices, or that he needed to get rid of the debris. He stated that he would have addressed the issue sooner, had he been aware. Mr. Urben claims that Department of Public Works personnel threw trash onto his lawn. He blames the on-going violations on a lack of communication. Inspector Burns stated that violation tags have been left on the door and on the debris itself.

Mayor Mang stated that the Village has had complaints. The Mayor said Mr. Urben has 10 days to address the violations and after that the work will be completed by the Village, with any expenses added to his taxes. The Mayor stated that the best thing Mr. Urben can do would be to address the issues, as soon as possible. Mr. Urben responded that the Board was being more than fair, and that he will clean up his property.

There were no other comments or questions brought to the Board's attention.

Trustee Bestine moved to close the hearing.

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

BOARD APPROVED A RESOLUTION PERTAINING TO CHAPTER 7, ARTICLE V: UNSAFE BUILDINGS - 66 ENOLA AVENUE.

Trustee Bestine moved to approve a Resolution pertaining to a determination under Chapter 7, Article V: Unsafe Buildings pertaining to 66 Enola Avenue finding that the property is in violation of Section 7-112. A copy of this Resolution is attached to these minutes for record purposes.

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

A Roll Call Vote was taken as follows:

Trustee Bestine	Voting	Aye
Trustee DeCecco	Voting	Aye
Mayor Mang	Voting	Aye

BOARD CONDUCTED A HEARING UNDER CHAPTER 7 ARTICLE V: UNSAFE BUILDINGS PERTAINING TO 72 CHARLESTON AVENUE.

Trustee Bestine moved to open the hearing.

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

The Clerk advised that this was the time and place to conduct a hearing under Chapter 7 Article V: Unsafe Buildings, pertaining to 72 Charleston Avenue.

The property owner was not present. Building Inspector Michael Burns stated he believes the home is in foreclosure, that the owner is deceased and that the property is vacant.

He stated that, while the home is in satisfactory condition, the garage, in its current condition, is unsafe and poses a hazard to the health and safety of the neighborhood. Photos were presented. Inspector Berns recommended that the garage be demolished.

There were no other comments or questions brought to the Board’s attention.

Trustee DeCecco moved to close the hearing.

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

BOARD APPROVED A RESOLUTION PERTAINING TO CHAPTER 7, ARTICLE V: UNSAFE BUILDINGS – 72 CHARLESTON AVENUE.

Trustee Bestine moved to approve a Resolution pertaining to a determination under Chapter 7, Article V: Unsafe Buildings pertaining to 72 Charleston Avenue finding that the garage is in violation of Section 7-112. A copy of this Resolution is attached to these minutes for record purposes.

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

A Roll Call Vote was taken as follows:

Trustee Bestine	Voting	Aye
Trustee DeCecco	Voting	Aye
Mayor Mang	Voting	Aye

BOARD CONDUCTED A HEARING UNDER CHAPTER 7 ARTICLE V: UNSAFE BUILDINGS PERTAINING TO 321 HAMILTON BOULEVARD.

Trustee DeCecco moved to open the hearing.

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

The Clerk advised that this was the time and place to conduct a hearing under Chapter 7 Article V: Unsafe Buildings, pertaining to 321 Hamilton Boulevard.

The property owner was not present. Building Inspector Michael Burns stated the home is not in foreclosure, but the owner is believed to be deceased.

He stated that the house itself is in fair condition, but the garage is unsafe and poses a hazard to the health and safety of the neighborhood. Photos were presented. Inspector Berns recommended that the garage be demolished.

There were no other comments or questions brought to the Board’s attention.

Trustee Bestine moved to close the hearing.

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

BOARD APPROVED A RESOLUTION PERTAINING TO CHAPTER 7, ARTICLE V: UNSAFE BUILDINGS – 321 HAMILTON BOULEVARD.

Trustee Bestine moved to approve a Resolution pertaining to a determination under Chapter 7, Article V: Unsafe Buildings pertaining to 321 Hamilton Boulevard finding that the garage is in violation of Section 7-112. A copy of this Resolution is attached to these minutes for record purposes.

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

A Roll Call Vote was taken as follows:

Trustee Bestine	Voting	Aye
Trustee DeCecco	Voting	Aye
Mayor Mang	Voting	Aye

BOARD APPROVED AND GRANTED PERMISSION TO THE RESIDENTS OF ARGONNE DRIVE TO HOLD A BLOCK PARTY.

Trustee Bestine moved to conditionally approve and grant permission to the residents of Argonne Drive, between Delaware Road and Myron Avenue, to hold a block party on Saturday, September 25, 2021, with a rain date of October 2, 2021 at the request of Paula Austin. This

approval is conditioned on CDC, NYS and other COVID rules/regulations/restrictions in place at the time of the event.

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

BOARD APPROVED AND GRANTED PERMISSION TO THE RESIDENTS OF NASSAU AVENUE TO HOLD A BLOCK PARTY.

Trustee DeCecco moved to conditionally approve and grant permission to the residents of Nassau Avenue, between Delaware Road and Myron Avenue, to hold a block party on Saturday, September 25, 2021, with a rain date of September 26, 2021 at the request of Chris Tarantelli. This approval is conditioned on CDC, NYS and other COVID rules/regulations/restrictions in place at the time of the event.

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

BOARD APPROVED A RESOLUTION AUTHORIZING A BUDGET AMENDMENT TO THE FIRE DEPARTMENT BUDGET TO REFLECT TWO DONATIONS.

Trustee Bestine moved to approve a Resolution authorizing a budget amendment to the Fire Department budget to reflect a donation from the Ryan Paramedic Foundation for \$4,400.00 and the Kenmore Rotary Club Charities Inc. Safety for \$2,475.63. A copy of the Resolution has been appended to these minutes for record purposes.

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

BOARD APPROVED AN AGREEMENT WITH CPE FOR FLOW MONITORING.

Trustee DeCecco moved to approve an agreement with CPE for flow monitoring under an order of consent with the Department of Environment and conservation. A copy of the agreement has been appended to these minutes for record purposes.

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

ABSTRACT OF AUDITED VOUCHERS.

Trustee DeCecco 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 September 7, 2021 in the amount of \$503,187.05; General Fund \$241,010.71; Water Fund \$104,658.53; Sewer Fund \$5,512.56; Community Development Fund \$151,060.25; and Capital Fund \$945.00 to direct the Treasurer to pay each of the listed claimants in the amount appearing opposite his/her name.

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

INVITATION FOR PUBLIC COMMENT/QUESTIONS

The Mayor asked if anyone wished to be heard.

Jen Murphy, 23 Somerton Avenue, said that Trustee Burd had attended the Somerton Block Party and said that she would arrange a meeting between the residents and Paddock to discuss employee use of the side street parking. She was wondering if a meeting date had been set. The Mayor stated that he would check with Trustee Burd when she returns. Ms. Murphy is also concerned about people speeding on her street. She understands that Paddock is a long-established business, but feels the Somerton residents are bearing the brunt of it with available on-street parking being used by Paddock employees. She says the employees are blocking resident driveways, littering and speeding.

The Mayor said he hopes Trustee Burd can put together a successful meeting.

Donna Geneski, 55 Courier Boulevard, stated that when moved here in 2004, she would never see a tote from her window. She presented photos of totes being left out alongside the business on Delaware Avenue. She states that the business is using the totes as a way for people to drop off bottles and cans. She notes that they have a garage which can be used to store their totes, so that they don't need to be left on the side of the building. She is requesting that the Board address this.

Superintendent David Root stated that he will double check tomorrow.

Ms. Geneski said that these totes are lining their street. If this is allowed under the law, then the law needs to change. She suggested that corrals may be more aesthetically pleasing.

Mayor Mang commented that the trash at that address is picked up daily. The Village can't expect businesses to come into work before 7 AM every day just to move their totes to the street.

Teri Agro, 21 East Girard wants to get a status report regarding 3199 Delaware.

Mayor Mang stated that he talks to owner two times a week. The owner lives in Canada, which makes things especially difficult. He said that he's more concerned about compliance than collecting fines. It's a long process, said the Mayor, which is made more difficult because of COVID closures of the court and the border. He asked Ms. Agro to be patient.

Donna Geneski again spoke, telling the board that there is a sink which has been placed next to the totes at that address. One tote, she said, is overflowing with empty oil containers from the restaurant. She said that the alley behind the building is not the place for the totes, and again recommended the use of corrals.

Ms. Agro asked for an update on Dollar General. Building Inspector Michael Berns said he was there three times this week, trying to get manager's name. Ms. Agro said she called Corporate and that she was told the floor dip would be addressed by the 22nd.

Tom Stillitto, 12 East Girard Avenue, also wishes to comment on the totes located on the side of the building, which face out to the residential street. He states that these totes are being used as receptacles for dog feces. He says new ideas are needed to address this.

The Mayor responded that the Village can't stop someone, who's walking their dog, from dropping things into totes. He further stated that corrals are not the answer.

Mr. Stillitto asked why the Village can't bring in the owner at 3199 Delaware, or other business owners, to appear before the Board, as has been done with other property owners at tonight's meeting. The Mayor responded that the violations presented in those cases involved emergency situations, defined by the Code. Other violations must be handled through the Justice Court. The hearings tonight involved matters that endanger the health and safety of the public. Here, the violations brought forward by Mr. Stillitto do not reach that level. Here, the owner has made some efforts to correct the property at 3199 Delaware Avenue. The Mayor understands that the property is still not meeting the standards the neighbors expect, but the Village will continue to do what they can under the law.

As no one else wished to be heard, the meeting was adjourned.

The next meeting of the Board of Trustees will be held on September 21, 2021 at 7:30 p.m.

Kathleen P. Johnson
Village Clerk/Treasurer