

**EXECUTIVE SESSION**

Board of Trustees  
Village of Kenmore

Municipal Building  
December 5, 2023

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

**EXECUTIVE SESSION TO DISCUSS ONE (1) LITIGATION MATTER AND THREE (3) FINANCIAL MATTERS.**

Trustee Catalano moved to go into Executive Session to discuss one (1) litigation matter and three (3) financial matters.

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

Trustee Cercone moved to end the Executive Session.

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

Kathleen P. Johnson  
Village Clerk/Treasurer

## CORPORATION PROCEEDINGS

Board of Trustees  
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PRESENT:	Hon. Patrick Mang	Mayor
	Hon. Paul Catalano	Trustee
	Hon. Joseph DeCecco	Trustee
	Hon. Andrea Czopp	Trustee
	Hon. Louis Cercone	Trustee

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

Honorable Frank Caruso, NYS Supreme Court Justice, swore in the re-elected officials: Honorable Katherine Bestine – Village Justice, Louis Cercone and Joseph DeCecco – Trustees, and Mayor Mang. Mayor Mang was joined by his sons.

### **BOARD APPROVED THE VILLAGE BOARD RULES OF PROCEDURE.**

Trustee Cercone offered the following resolution covering Village Board Rules of Procedure and moved its adoption:

#### **RULES FOR PREPARATION OF AGENDAS FOR PUBLIC BOARD MEETINGS AND FOR AUDITING VOUCHERS**

1. Meeting Agendas will be delivered to the Board Members late afternoon on the Friday prior to the regular public Board Meeting.
2. Trustees and Department Heads wishing to have items included on such agendas must submit them to the Village Clerk-Treasurer no later than 2:00 p.m. on the Friday prior to the regular public Board Meeting.
3. Additional agenda items not submitted in accordance with No. 2 above may be added on the meeting day with the approval of three members of the Board of Trustees.
4. (a) Each Trustee is obligated to audit the vouchers at his or her own leisure prior to the public Board Meeting at which they are to be approved for payment.  
  
(b) The Village Clerk-Treasurer will have such vouchers available for audit by Board Members in the Mayor's Office no later than 4:00 p.m. of the day of the public Board Meeting.

**PUBLIC BOARD MEETING RULES OF PROCEDURE**

1. Trustees or audience members will be permitted to speak when recognized by the Mayor, or in his absence, the Deputy Mayor.
2. Discussion or debate of Agenda items will begin only after a motion has been made and seconded. The Order of Recognition for speaking on a "question" for Trustees shall be in the same order of roll call voting, except that the Trustee who introduces the motion shall be given the first privilege of the floor. No Trustee shall be permitted to speak on a "question" after it has been voted on except to change his or her vote prior to the vote result being announced.
3. The Order of Roll Call voting shall be as follows:  
  
Trustee Paul Catalano  
Trustee Joseph DeCecco  
Trustee Andrea Czopp  
Trustee Louis Cercone
4. Constructive audience input will continue to be invited prior to submitting the motion to a vote by the Board of Trustees. Questions, for clarification purposes, will also be permitted from audience members prior to such vote being taken. Upon conclusion of audience comments and discussion, the Board of Trustees will proceed with final disposition. The Mayor, at his sole discretion, may initiate a time limit for audience comment, and/or limit audience participation to one comment per audience member.

**PROCEDURES FOR CONVENING AND CONDUCTING  
NON-REGULARLY SCHEDULED VILLAGE BOARD MEETINGS**

Special non-regularly scheduled meetings of the Board of Trustees may be called by the Mayor or by any three Trustees by causing a written notice specifying the time and place thereof to be served upon each member of the Board personally at least two hours in advance, or by leaving a notice at his residence or place of business with some person of suitable age and discretion at least 24 hours before the time of the meeting or by making such notice at least 72 hours before such meeting, and that all such meetings shall be in conformance with the requirements of New York State's Open Meeting Law, Rules and Regulations.

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

**BOARD APPROVED THE MAYORAL APPOINTMENT OF KATHLEEN P. JOHNSON AS CLERK/TREASURER FOR A TWO-YEAR TERM.**

Trustee DeCecco moved to approve the Mayoral appointment of Kathleen P. Johnson as Clerk/Treasurer for a two-year term, to expire at the first Board meeting in December 2025.

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

**BOARD APPROVED MAYORAL APPOINTMENTS TO VARIOUS POSITIONS FOR A ONE-YEAR TERM.**

Trustee Catalano moved to approve the Mayoral one-year appointments of the following persons, to expire at the first Board meeting in December, 2024:

Prosecuting/Deputy Attorney	Eugene P. Adams, Esq.
Legal Liaison	Kathleen P. Johnson, Esq.
Acting Justice	Parker MacKay, Esq.
Registrar	Kathleen P. Johnson, Esq.
Records Officer	Kathleen P. Johnson, Esq.
Deputy Registrar	Gail T. Higgins
Deputy Clerk	Gail T. Higgins
Village Historian	Marjorie Murray

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

**BOARD APPROVED THE MAYORAL APPOINTMENTS OF TRUSTEES TO VARIOUS POSITIONS.**

Trustee Czopp moved to approve the following Mayoral appointments of Trustees:

Deputy Mayor	Trustee Catalano
Water & Sanitation/Sewer Commissioner	Trustee DeCecco
Public Works & Public Utilities Commissioner	Trustee DeCecco
Commissioner of Administration & Finance	Trustee Czopp
Deputy Police/Juvenile Aid Bureau Commissioner	Trustee Catalano

Deputy Fire Commissioner	Trustee DeCecco
Community Development Commissioner	Trustee Cercone
Commissioner of Kenmore Community Center	Trustee Catalano
Building Department Commissioner	Trustee Czopp
Housing Authority Liaison	Trustee Cercone

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

**BOARD APPROVED THE MAYORAL APPOINTMENTS OF TRUSTEES TO VILLAGE BOARD COMMITTEES.**

Trustee Cercone moved to approve the following Mayoral appointments of Trustees to various Village Board committees:

Insurance	Trustee Czopp & Trustee DeCecco
Tax & Property	All Board Members
Grievance Committee	Trustee Czopp & Trustee Cercone
Capital Expenditures	Trustee Czopp & Trustee Cercone
Negotiating Committee	Trustee Catalano & Trustee DeCecco

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

**BOARD APPROVED THE DESIGNATION OF TIME AND PLACE OF BOARD MEETINGS.**

Trustee DeCecco moved to approve the designation of the time and place of Village Board Meetings as the first and third Tuesday of each month, with the exception of meetings which fall on holidays where Village offices are closed, in which case the meeting will be cancelled. The meetings will be held at 7:30 p.m. in the Council Chambers, in the Kenmore Municipal Building.

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

**BOARD APPROVED THE DESIGNATION OF THE OFFICIAL DEPOSITORY FOR THE VILLAGE OF KENMORE.**

Trustee Catalano moved to approve Key Bank as the official depository for the Village of Kenmore for the remainder of Fiscal Year 2023-2024, and for Fiscal Year 2024-2025 through the first meeting in December 2024.

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

**BOARD APPROVED THE INVESTMENT/FISCAL/ADMINISTRATIVE POLICY FOR THE VILLAGE TREASURER FOR THE REMAINDER OF THE 2023-2024 FISCAL YEAR AND FOR FISCAL YEAR 2024-2025 THROUGH DECEMBER 1, 2024.**

Trustee Czopp offered the following resolution and moved its adoption:

**WHEREAS**, the Village of Kenmore in the course of the next fiscal year will have funds not immediately needed for the purposes of the Village, and

**WHEREAS**, such funds may be temporarily invested in order to obtain interest thereon, which interest can be used for the benefit of the Village of Kenmore, and

**WHEREAS**, the General Municipal Law Section 11 authorizes the Board of Trustees of the Village to authorize the Treasurer to temporarily invest such idle funds,

**NOW, THEREFORE BE IT**

**RESOLVED**, that the Treasurer of the Village of Kenmore is hereby authorized and directed to invest the funds of the Village of Kenmore which are presently on hand and which will hereafter come into her hands and which in her opinion, are not immediately needed for purposes of the Village of Kenmore in Treasury Bills, Certificates of Deposit and Money Market or other similar accounts authorized to do business in New York State, and be it further

**RESOLVED**, that all investments shall be fully secured by insurance of the Federal Deposit Insurance Corporation or by obligations of New York State or obligations of the United States or obligations of federal agencies the principal and interest of which are guaranteed by the United States, or obligations of New York State local governments. Collateral shall be delivered to the Local Government or a Custodial Bank with which the Local Government has entered into a Custodial Agreement. The market value of collateral shall at all times equal or exceed the principal amount of the certificate of deposit, and be it further

**RESOLVED**, that the Clerk/Treasurer is hereby authorized to sign any grants, agreements or other documents on behalf of the Mayor and the Village of Kenmore, and be it further

**RESOLVED**, that the Clerk-Treasurer shall, at the request of the Board of Trustees, prepare and submit a quarterly investment report which indicates new investments, the inventory of existing investments, and such other matters as the chief fiscal officer deems appropriate.

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

**BOARD AUTHORIZED THE CLERK/TREASURER TO SELECT AND EMPOWER PAYING AGENTS TO DESTROY PAID MUNICIPAL OBLIGATIONS.**

Trustee Cercone offered the following resolution and moved its adoption:

**RESOLVED**, that the Village Clerk-Treasurer be and she hereby is authorized to select and empower various paying agents from time to time to destroy evidences of paid municipal obligations which have been duly canceled, such destruction and cancellation to be carried out pursuant to the applicable regulations of the Office of the State Comptroller.

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

**BOARD TO ISSUE ADVANCE APPROVAL OF CLAIMS FOR CERTAIN RECURRING CHARGES.**

Trustee DeCecco offered the following resolution and moved its adoption:

**WHEREAS**, Section 5-524(6) of the Village Law provides the Board of Trustees may, by resolution, authorize payment in advance of audit of claims for certain recurring charges such as public utility services, postage, freight and express charges and obligations for contracts and agreements that have been approved by the Board,

**NOW, THEREFORE BE IT**

**RESOLVED**, that the Board of Trustees does hereby authorize payment in advance of audit of claims for certain recurring charges and empower the Clerk-Treasurer to process payment to the appropriate claimants.

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

**BOARD GRANTED AUTHORIZATION TO PURCHASE ON STATE AND COUNTY CONTRACTS.**

Trustee Catalano moved that the Village Board authorize the Village of Kenmore to purchase on State and County contracts for the remainder of fiscal year 2023-2024 and for fiscal year 2024-2025, through the first Board meeting in December, 2024.

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

**BOARD APPROVED THE DESIGNATION OF THE KEN-TON BEE AND THE BUFFALO NEWS AS THE OFFICIAL NEWSPAPERS FOR THE VILLAGE OF KENMORE.**

Trustee Czopp moved that the Ken-Ton Bee and the Buffalo News be designated as official newspapers for the Village of Kenmore.

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

**BOARD GRANTED APPROVAL FOR VILLAGE OFFICIALS TO ATTEND OFFICIAL MEETINGS OF VARIOUS ASSOCIATIONS, CONFERENCES, SEMINARS AND SCHOOLS.**

Trustee Cercone moved that Village officials be authorized to attend various official meetings in Erie County Village Officials Association, Municipal Administrative Officers Association of Erie County, Association of Erie County Governments, Niagara Frontier Building Inspectors Association, Erie County Association of Town Superintendents of Highway, NYS Conference of Mayors and NYS Government Finance Officer meetings, conferences, seminars and schools during the remainder of Fiscal Year 2023-2024 and for Fiscal Year 2024-2025 through the first board meeting in December, 2024, with expenses.

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



**BOARD APPROVED A RESOLUTION PERTAINING TO A DONATION TO INCREASE THE BUDGET FOR THE KENMORE POLICE DEPARTMENT FOR THE PURCHASE OF NIKE HELMETS FOR THE COMMUNITY.**

Trustee DeCecco moved to approve a Resolution pertaining to a \$500.00 donation to increase the Kenmore Police Department's budget for the purchase of bike helmets for the community. A copy of the Resolution is appended to these minutes for record purposes.

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

**BOARD APPROVED A CONFLICT WAIVER FOR HODGSON RUSS LLP.**

Trustee Catalano moved to approve a conflict waiver for Hodgson Russ, LLC.

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

**BOARD APPROVED A RESOLUTION REAFFIRMING SEQRA NEGATIVE DECLARATION REGARDING THE KENMORE POLICE DEPARTMENT RENOVATION AND EXPANSION PROJECT.**

Trustee Czopp moved to approve a Resolution reaffirming SEQRA Negative Declaration regarding the Kenmore Police Department Renovation and Expansion Project. A copy of the Resolution is appended 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 TO GREEN MOUNTAIN FOR THE ELMWOOD SEWER LINE PROJECT.**

Trustee Cercone moved to approve and awarded a bid to Green Mountain the Elmwood Sewer Line Project for the amount of \$1,695,471.

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

**BOARD APPROVED AN AGREEMENT WITH THE TOWN OF TONAWANDA  
PERTAINING TO THE MUNICIPAL BUILDING.**

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Trustee DeCecco moved to approve an agreement with the Town of Tonawanda pertaining to the Municipal Building. A copy of the Resolution is appended to these minutes for record purposes.

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

**ABSTRACT OF AUDITED VOUCHERS.**

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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 December 5, 2023 in the amount of \$306,605.43; General Fund \$228,523.32; Water Fund \$11,580.92; and Sewer Fund \$5,000.00; Capital Fund \$61,501.19 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.

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

The next meeting of the Board of Trustees will be held on December 19, 2023 at 7:30 p.m.

Kathleen P. Johnson  
Village Clerk/Treasurer