

EXECUTIVE SESSION

Board of Trustees
Village of Kenmore

Municipal Building
October 18, 2016

| | | |
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| PRESENT: | Hon. Patrick Mang | Mayor |
| | Hon. Katherine Bestine | Trustee |
| | Hon. Paul Catalano | Trustee |
| | Hon. Katie Burd | Trustee |
| ABSENT: | Hon. R. Timothy McCarthy | Trustee |

EXECUTIVE SESSION TO DISCUSS THREE (3) FINANCIAL, ONE (1) LITIGATION, ONE (1) PERSONNEL (HIRE) AND ONE (1) INVESTIGATIVE MATTER.

Trustee Burd moved to go into Executive Session to discuss three (3) financial, one (1) litigation, one (1) personnel (hire) and one (1) investigative matter.

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

Trustee Bestine moved to end the Executive Session.

Seconded by Trustee Catalano 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
October 18, 2016

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| PRESENT: | Hon. Patrick Mang | Mayor |
| | Hon. Katherine Bestine | Trustee |
| | Hon. Paul Catalano | Trustee |
| | Hon. Katie Burd | Trustee |

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|---------|--------------------------|---------|
| ABSENT: | Hon. R. Timothy McCarthy | Trustee |
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BOARD CONDUCTED A HEARING PERTAINING TO LOCAL LAW #8, 2016 ENTITLED “AMENDING CHAPTER 21, PARKING, OF THE VILLAGE OF KENMORE MUNICIPAL CODE.”

The Clerk advised that this was the time and place to conduct a hearing pertaining to Local Law #8, 2016, entitled “Amending Chapter 21, Parking, of the Village of Kenmore Municipal Code”, a copy of which is appended to these minutes for record purposes.

Trustee Bestine moved to open the hearing.

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

Village Clerk Kathleen P. Johnson read the legal notice.

Mayor Mang asked if anyone had questions or comments. There were none.

Trustee Bestine moved to close the hearing.

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

BOARD APPROVED LOCAL LAW #8, 2016 ENTITLED “AMENDING CHAPTER 21, PARKING, OF THE VILLAGE OF KENMORE MUNICIPAL CODE”.

Trustee Burd moved to approve Local Law #8, 2016, entitled “Amending Chapter 21, Parking, of the Village of Kenmore Municipal Code”.

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

A Roll Call Vote was taken as follows:

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| Trustee Bestine | Voting | Aye |
| Trustee Catalano | Voting | Aye |
| Trustee Burd | Voting | Aye |

BOARD APPROVED LOCAL LAW #9, 2016 ENTITLED “AMENDMENT TO SECTION 7-40. LICENSING.”.

Trustee Burd moved to approve Local Law #9, 2016, entitled “Amendment to Section 7-40. Licensing”.

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

A Roll Call Vote was taken as follows:

| | | |
|------------------|--------|-----|
| Trustee Bestine | Voting | Aye |
| Trustee Catalano | Voting | Aye |
| Trustee Burd | Voting | Aye |

**BOARD APPROVED AND GRANTED PERMISSION TO THE SENIOR
FIREFIGHTER AND TWO FIREFIGHTERS TO ATTEND A COURSE.**

Trustee Catalano moved to approve and grant permission to Senior Firefighter Richard Maisano, Firefighter Kevin Walsh and Firefighter Julia Taylor to attend a course entitled “New York Resuscitation Symposium” on November 5, 2016 in Niagara Falls, New York, with expenses.

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

**BOARD APPROVED KEY BANK AS THE OFFICAL DEPOSITORY FOR THE
VILLAGE OF KENMORE.**

Trustee Bestine moved to approve Key Bank to be the official depository for the Village of Kenmore.

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

**BOARD APPROVED THE TERMINATION OF A DEPARTMENT OF PUBLIC
WORKS EMPLOYEE.**

Trustee Bestine moved to approve the termination of Department of Public Works employee.

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

**BOARD APPROVED AND GRANTED PERMISSION TO THE KENMORE
VOLUNTEER FIRE DEPARTMENT TO HOLD THE ANNUAL HALLOWEEN
PARADE.**

Trustee Catalano moved to approve and grant permission to the Kenmore Volunteer Fire Department and the Town of Tonawanda Department of Youth, Parks and Recreation to co-

sponsor the annual Halloween Party and Parade on October 31, 2016 at the Kenmore Volunteer Fire Department.

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

BOARD APPROVED A PRELIMINARY CHANGE ORDER FOR THE ADDITIONAL WORK FOR THE CDBG SIDEWALK PROJECT.

Trustee Bestine moved to approve a preliminary change order for the additional work for the CDBG Sidewalk Project.

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

ABSTRACT OF AUDITED VOUCHERS.

Trustee Bestine 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 October 18, 2016 in the amount of \$358,694.03; General Fund \$125,278.47; Water Fund \$65,120.72; Sewer Fund \$73,615.84; Capital Fund \$94,679.00; to direct the Treasurer to pay each of the listed claimants in the amount appearing opposite his/her name.

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

INVITATION FOR PUBLIC COMMENT/QUESTIONS

The Mayor asked if anyone wished to be heard.

Carl Holnik of 32 Westgate Road inquired about a 1995 sewer project which, he believes, was not properly done, resulting in expensive plumbing work, at his own expense. He met with

the Mayor and Clerk-Treasurer in June and says he is still awaiting a follow-up from the Village. The Mayor noted that Mr. Holnik's claim was denied by the Village's insurance carrier and that the Contractor is no longer in business. Mr. Holnik wants to know if there is a bond still in effect. The Mayor explained that we are still looking into that. He is doubtful given that the project took place over twenty (20) years ago. The Mayor apologized for the delay in getting back to Mr. Holnik. Clerk Johnson noted that she had sent Mr. Holnik several letters advising that his request had been completed and advising of the cost (under FOIL) for the documents requested. She had received no response. Mr. Holnik claims he never received any letters.

Mr. Holnik then complained about the water surcharge. He stated that he did not vote for that charge and wants it removed. He put up a petition at his work and has three hundred signatures demanding that it be eliminated. Mr. Holnik left the petition with the Mayor. The Mayor explained that the surcharge was passed after a public hearing, as required by law and noted that the charge was implemented to cover additional expenses for infrastructure improvements required by the DEC in its Consent Order. He explained that these expenses are not part of our operating budget. This is an unfunded mandate that the Village has to address.

Mr. Holnik is also upset with Clerk Johnson's response to his FOIL request. Ms. Johnson noted that this was one of the letters she was referring to earlier. Mr. Holnik thinks it unfair that he has to pay over \$100 to get materials he requested. He feels that this should be covered by his taxes. Clerk-Treasurer Kathleen P. Johnson explained that the government charges \$0.25 per page under the Freedom of Information Act as is allowed under the Public Officers Law, and that his requested information was quite extensive. He does not think that the information requested would be that many pages.

Mr. Holnik also states that he was given the wrong time for the meeting from the Clerk's Office. Ms. Johnson apologized for any misinformation and stated that she would follow-up with her office staff to make sure proper information is given.

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

The next meeting of the Board of Trustees will be held on November 1, 2016 at 8:00 p.m. at the Kenmore Municipal Building.

Kathleen P. Johnson
Village Clerk/Treasurer