

EXECUTIVE SESSION

Board of Trustees
Village of Kenmore

Municipal Building
December 6, 2016

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

Mayor
Trustee
Trustee
Trustee

**EXECUTIVE SESSION TO DISCUSS FOUR (4) INVESTIGATIVE, ONE (1) LEGAL,
AND ONE (1) CONTRACTUAL.**

Trustee Catalano moved to go into Executive Session to discuss four (4) investigative, one (1) legal, and one (1) contractual matter.

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

Trustee Catalano moved to end the executive Session.

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

Kathleen P. Johnson
Village Clerk/Treasurer

**CORPORATION PROCEEDINGS
ANNUAL MEETING**

Board of Trustees
Village of Kenmore

Municipal Building
December 6, 2016

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

The meeting was called to order at 8:00 p.m. by Mayor Mang. Mayor Mang led the Pledge of Allegiance.

BOARD APPROVED THE VILLAGE BOARD RULES OF PROCEDURE.

Trustee Bestine 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 homes of 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 5:00 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 Katherine Bestine
Trustee Paul Catalano
Trustee Katie Burd
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 Burd and adopted by a full vote of all members present.

BOARD APPROVED MAYORAL APPOINTMENTS TO VARIOUS POSITIONS FOR ONE-YEAR TERMS TO EXPIRE DECEMBER 1, 2017.

Trustee Catalano moved to approve the Mayoral one-year appointments of the following

persons:	Chief of Police	Peter J. Breitnauer
	Prosecuting/Deputy Attorney	Eugene P. Adams, Esq.
	Legal Liaison	Kathleen P. Johnson, Esq.
	Acting Justice	Andrew O. Miller, Esq.
	Registrar	Kathleen P. Johnson, Esq.
	Deputy Registrar	Gail T. Higgins
	Deputy Clerk	Gail T. Higgins
	Village Historian	Edward Adamczyk

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

Mayor Mang recognized Village Historian Edward Adamczyk, who was in attendance and thanked him for his service.

BOARD APPROVED THE MAYORAL TRUSTEE APPOINTMENTS TO VARIOUS POSITIONS.

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

Deputy Mayor	Trustee Catalano
Water & Sanitation/Sewer Commissioner	Trustee Bestine
Public Works & Public Utilities Commissioner	Trustee Bestine

Commissioner of Administration & Finance	Trustee Burd
Deputy Police/Juvenile Aid Bureau Commissioner	Trustee Catalano
Deputy Fire Commissioner	Trustee Burd
Community Development Commissioner	Trustee Catalano
Commissioner of Kenmore Community Center	Trustee Catalano
Building Department Commissioner	Trustee Burd
Housing Authority Liaison	Trustee Bestine

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

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

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

Insurance	Trustee Burd & Trustee Bestine
Tax & Property	All Board Members
Grievance Committee	Trustee Burd & Trustee Bestine
Capital Expenditures	Trustee Burd & Trustee Bestine
Negotiating Committee	Trustee Catalano & Trustee Bestine

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

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

Trustee Bestine 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 8:00 p.m. in the Council Chambers, in the Municipal Building.

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

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

Trustee Bestine moved to approve Key Bank as the official depository for the Village of Kenmore for the remainder of Fiscal Year 2016-2017, and for Fiscal Year 2017-2018 through December 1, 2017.

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

BOARD APPROVED THE INVESTMENT POLICY FOR THE VILLAGE TREASURER FOR THE REMAINDER OF THE 2016-2017 FISCAL YEAR AND FOR FISCAL YEAR 2017-2018 THROUGH DECEMBER 1, 2017.

Trustee Burd 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 (N.O.W.) 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 Bestine 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 Catalano 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 Burd and adopted by a full vote of all members present.

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

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

BOARD GRANTED AUTHORIZATION TO PURCHASE ON STATE AND COUNTY CONTRACTS.

Trustee Bestine moved that the Village Board authorize the Village of Kenmore to purchase on State and County contracts for the remainder of fiscal year 2016-2017 and for fiscal year 2017-2018, through December 1, 2017.

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

Seconded by Trustee Bestine 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 Bestine 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 2016-2017 and for Fiscal Year 2017-2018 through December 1, 2017, with expenses.

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

BOARD APPROVED THE APPOINTMENT OF THREE ACTIVE MEMBERS TO THE KENMORE VOLUNTEER FIRE DEPARTMENT.

Trustee Burd moved to approve Jeffrey Mang of 104 Washington Avenue, Adrian Pilliod of 221 East Hazeltine Avenue and Denise Marsh of 113 Somerton Avenue as reinstated volunteer active members to the Kenmore Fire Department.

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

BOARD APPROVED A RESOLUTION ACCEPTING A DONATION FOR THE INSTALLATION OF A DISHWASHER.

Trustee Catalano moved to approve a Resolution accepting a donation for the installation of a dishwasher. A copy of the Resolution is appended to these minutes for record purposes.

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

BOARD APPROVED AN AGREEMENT FOR WEB HOSTING AND UPGRADE CONVERSION WITH WEBTYS.

Trustee Burd moved to approve an agreement for web hosting and an upgrade conversion with Webtys. A copy of the agreement is appended to these minutes for record purposes.

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

BOARD APPROVED A CHANGE ORDER FOR THE MCKINLEY WATER MAIN PROJECT.

Trustee Bestine moved to approve Change Order Number 1 for the McKinley Water Main Project for \$33,754.29.

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

BOARD APPROVED A CHANGE ORDER FOR THE CDBG SIDEWALK PROJECT.

Trustee Bestine moved to approve Change Order Number 1 for the Community Development Block Grant Sidewalk Project \$12,741.30.

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

BOARD APPROVED THE APPOINTMENT OF DAVID ROOT AS THE PROVISIONAL SUPERINTENDENT FOR THE DEPARTMENT OF PUBLIC WORKS.

Trustee Bestine moved to approve the appointment of David Root as the provisional Superintendent for the Department of Public Works, at a salary of \$75,798.00, effective December 17, 2016.

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

BOARD APPROVED THE APPOINTMENT OF A PROBATIONARY LABORER FOR THE DEPARTMENT OF PUBLIC WORKS.

Trustee Bestine moved to approve the appointment of Ryan Spiegelhoff as a probationary full-time Laborer for the Department of Public Works, at a pay rate of \$14.69 per hour, effective December 12, 2016.

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

BOARD APPROVED AN AGREEMENT WITH ERIE COUNTY FOR SNOW PLOWING.

Trustee Burd moved to approve an agreement with Erie County for snow plowing. A copy of the agreement is appended to these minutes for record purposes.

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

BOARD APPROVED THE APPOINTMENT OF A PROBATIONARY POLICE OFFICER.

Trustee Catalano moved to approve the appointment of Adam Agugliaro as a probationary Police Officer for the Village of Kenmore Police Department, at a salary of \$57,155.00, effective December 7, 2016.

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

Mayor Mang recognized Officer Agugliaro and stated that the Kenmore Police Department is one of the best police forces in Western New York, treating the residents with respect and pride. The Mayor congratulated him on his appointment.

BOARD APPROVED AND AUTHORIZED A FIREFIGHTER TO ATTEND A TRAINING COURSE.

Trustee Burd moved to approve and authorize Firefighter Kenneth M. Butkowski II to attend a course entitled “Emergency Planning” on Tuesday, December 13, 2016 and Thursday, December 15, 2016, in Batavia, New York, with expenses.

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

BOARD APPROVED CHANGE ORDER NUMBER 2 FOR HAMILTON BOULEVARD AND WESTGATE ROAD WATER MAIN PROJECTS.

Trustee Catalano moved to approve Change Order Number 2 for Hamilton Water Main Replacement Project in the amount of \$20,999.60, and for Westgate Road Water Main Replacement Project in the increased amount of \$29,508.77.

Seconded by Trustee Bestine 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 December 20, 2016 in the amount of \$1,649,975.30; General Fund \$1,214,382.74; Water Fund \$155,536.24; Sewer Fund \$63,300.00; Capital Fund \$149,209.68; Community Development Fund \$67,546.64; 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. There was no response.

Mayor Mang requested a Moment of Silence in honor to Honorable Trustee/Deputy Mayor R. Timothy “Tim” McCarthy who passed away. He stated that Trustee McCarthy loved Kenmore and serving the Village. He will be sorely missed. He was a great friend and a great trustee. Trustee Catalano echoed the Mayors sentiments.

Following the Moment of Silence, Mayor Mang thanked everyone for attending.

The next meeting of the Board of Trustees will be held on December 20, 2016 at 8:00 p.m. at the Kenmore Municipal Building.

Kathleen P. Johnson
Village Clerk/Treasurer