

EXECUTIVE SESSION

Board of Trustees
Village of Kenmore

Municipal Building
June 19, 2018

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

EXECUTIVE SESSION TO DISCUSS FOUR (4) FINANCIAL AND FOUR (4) LITIGATION MATTERS.

Trustee Catalano moved to go into Executive Session to discuss four (4) financial and four (4) litigation matters.

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

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	Hon. Katherine Bestine	Trustee
	Hon. Joseph DeCecco	Trustee
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The meeting was called to order at 8:00 p.m. by Mayor Patrick Mang. The Mayor led the Pledge of Allegiance.

BOARD CONDUCTED A HEARING PERTAINING TO A POSSIBLE EMINENT DOMAIN TAKING OF EQUIPMENT LOCATED AT THE WATER TOWER.

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 pertaining to a possible eminent domain taking pertaining to equipment located on the water tower.

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

Trustee DeCecco moved to close the hearing.

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

BOARD APPROVED CHANGE ORDER NO. 1 FOR THE FIRE DEPARTMENT BAY FLOOR REHABILITATION PROJECT.

Trustee Catalano moved to approve Change Order No. 1 for the Fire Department Bay Floor Rehabilitation Project in the amount of (\$10,585.20).

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

BOARD APPROVED THE HIRING OF TWO PART-TIME DRIVERS FOR THE KENMORE FIRE DEPARTMENT.

Trustee Bestine moved to approve the hiring of Richard Ruby of 65 Henderson Avenue and Brian Edwards of 125 Argonne Drive as part-time drivers for the Kenmore Fire Department at the pay rate of \$17.47/hour, effective June 20, 2018.

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

Fire Chief Peter Breitnauer introduced the new drivers. The Mayor offered is congratulations and welcome.

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

Trustee DeCecco moved to approve the hiring of Jacob Scheuer as a seasonal employee for the Department of Public Works, effective June 27, 2018.

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

BOARD APPROVED THE RE-APPOINTMENT OF CHRISTOPHER PASHLER AS A COMMISSIONER OF THE KENMORE HOUSING AUTHORITY.

Trustee Catalano moved to approve the re-appointment of Christopher Pashler as a Commissioner of the Kenmore Housing Authority, with a term to expire June, 2023.

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

BOARD APPROVED AND GRANTED PERMISSION TO THE NORTHTOWN PREGNANCY CENTER TO CONDUCT ITS ANNUAL WALK

Trustee DeCecco moved to approve and give permission to the Northtown Pregnancy Center to conduct its annual Walk on September 29, 2018, at Mang Park.

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

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

Trustee DeCecco moved to approve and granted permission to the residents of Shepard Avenue, between Elmwood Avenue and Wilber Avenue, to hold a block party on Saturday, August 11, 2018 at the request of Elizabeth Federice.

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

BOARD APPROVED A RESOLUTION PROHIBITING THE SALE OR USE OF FIREWORKS, SPARKLERS, ETC. ON ANY VILLAGE OWNED PROPERTY.

Trustee Bestine moved to approve a Resolution prohibiting the sale or use of fireworks, sparklers, smoke bombs, etc. on any Village owned property. A copy of the Resolution is appended to these minutes for record purposes.

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

BOARD APPROVED THE PUBLICATION OF A LEGAL NOTICE CALLING FOR BIDS FOR THE WATER QUALITY IMPROVEMENT PROJECT.

Trustee Catalano moved to approve the publication of a legal notice calling for bids for the Water Quality Improvement Project for Delaware Road sewer lining and manholes restoration.

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

**BOARD APPROVED PUBLICATION OF A LEGAL NOTICE OF A HEARING
PERTAINING TO LOCAL LAW #5, 2018.**

Trustee Bestine moved to approve publication of a legal notice for a hearing to take place on July 3, 2018 pertaining to Local Law #5, 2018: Amending Chapter 25-95 and 25-101: Landscaping and Buffering. A copy of the legal notice is appended to these minutes for record purposes.

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

**BOARD APPROVED PUBLICATION OF A LEGAL NOTICE OF A HEARING FOR
LOCAL LAW #6, 2018.**

Trustee DeCecco moved to approve publication of a legal notice for a hearing to take place on July 3, 2018 pertaining to Local Law #6, 2018: Amending Chapter 25-69 Customary Home Uses. A copy of the legal notice is appended to these minutes for record purposes.

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 June 19, 2018, in the amount of \$544,406.84; General Fund \$290,892.54; Water Fund \$69,865.19; Sewer Fund \$60,144.58; Capital Fund \$123,504.53 to direct the Treasurer to pay each of the listed claimants in the amount appearing opposite his/her name.

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

INVITATION FOR PUBLIC COMMENT/QUESTIONS

The Mayor asked if anyone wished to be heard.

Joseph Speranza of 47 Wardman Road stated he purchased the house in August, 2017. Mr. Speranza said the house was an eyesore and showed exterior pictures of how it looked then and now. He states that permits haven't been issued and he wants the Board to make a decision. Mr. Speranza states that the Building Inspector told him that permits were not being issued because of the Board's direction. He stated: "You people served a warrant. I have no idea why. Your code allows me to do my own work, but you forced me to hire plumbers and electricians with architectural drawings."

Mr. Speranza further commented that the Police Chief showed up at his house and told him that his house was offensive and belongs on the East Side. He claims that the Chief is "racist". He states that his name is on the Deed, that he owns the house and that it doesn't matter if he is flipping the house or not. He further states that he is not flipping the house.

He repeats that he was told by Building Inspector Berns that the Board decided that he needed a water meter permit, and he wants to know why. He states that he only needed one coupling and that a water meter permit was never needed by anyone else.

Mr. Speranza stated that "I'm recording" the board meeting. He further states that the property is 'owner occupied' but, according to "your Clerk" the property can't be occupied because it doesn't have running water.

He further states that the Electrical Inspector had his electric lines cut. National Grid told him that the Electrical Inspector told them that he was stealing energy which is why they cut the

lines. He states that he already told Mr. Berns this. He repeats: “Your Electrical Inspector said I was stealing electricity” and that he got the electrical inspector’s phone number and that he called the Electrical Inspector and told him that he’s an idiot and that, in turn, the Electrical Inspector called the police. Mr. Speranza states: “He’s a Village Official. I can call him.”

Mr. Speranza also stated that the police are “raiding my house...and threatening me at my home....telling me my house is offensive...”

He states that no neighbors have complained. That his neighbors love him and want to know why he is being harassed.

He states: “Can’t make me leave. Either we work together or I’ll keep doing what I’m doing”. He further states that a licensed plumber said that his plumbing work was good.

Mr. Speranza states that when he did the electrical wiring, he called for inspection of a rough in. But that when the Inspector came, he examined more than the rough in, and pulled the permit because of the service box. He says the Village just walked in uninvited and stopped work.

He is now being told he needs to have one of the electricians on the Master Electrician list do the work, but since he is living at the property, he says that this is not required and that the Village can’t “make me”. He asserts that the Village needs to follow the code and that the property is ‘occupy-able’.

Mayor Mang replied that, since there is pending litigation pertaining to this matter, the Village is not allowed to comment.

Mr. Speranza stated that he has only obtained an Index number but that nothing has been filed, therefore he wants a response.

Mr. Speranza continues to ask why he was required to get a permit for his water meter, stating that the Village refused to install a meter. He states that the Clerk/Treasurer told him that he will be charged for water and asks if residents know they get charged for 8 thousand gallons whether they use them or not.

Mayor Mang replied stating that “We’re not going to settle this tonight”, and told Mr. Speranza that it was time to end the conversation.

Mr. Speranza continued, stating that “it’s your code” and that the Police Chief is racist. He claims the Chief threatened him and that he keeps getting the same “jamoke”.

Mayor Mang again repeated that the Village cannot reply when litigation is pending, and that he feels that Mr. Speranza has been given ample time to make his statements.

Mr. Speranza repeats that there is no litigation. “I only got an index number.”

Trustee Bestine explained that getting an Index number is the start of litigation and that while litigation is pending, the Board will not comment.

Mr. Speranza states that the Board “could care less that your Chief is a racist” and that the Electrical Inspector is giving false reports.

Mayor Mang thanked Mr. Speranza for coming.

Mr. Speranza continued stating his frustration that the Board “won’t discuss this.... You won’t explain.” And asking what the rules are for public comment.

Mayor Mang stated that he has been allowed to speak, but that Mr. Speranza has made his point.

Mr. Speranza: “You don’t care that I’m being harassed.”

Mayor Mang again repeated that he can’t comment, and thanked Mr. Speranza for attending.

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

The next meeting of the Board of Trustees will be held on July 3, 2018 at 8:00 p.m. at the Kenmore Municipal Building.

Kathleen P. Johnson
Village Clerk/Treasurer