

EXECUTIVE SESSION

Board of Trustees
Village of Kenmore

Municipal Building
October 6, 2020

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

EXECUTIVE SESSION TO DISCUSS ONE (1) LITIGATION, ONE (1) INVESTIGATIVE AND ONE (1) FINANCIAL MATTER.

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

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

Trustee Burd 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

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	Hon. Katie Burd	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 APPROVED THE APPOINTMENT OF A POLICE LIEUTENANT FOR THE KENMORE POLICE DEPARTMENT.

Trustee Catalano moved to approve the appointment of Michael Osiadlo a Police Lieutenant for the Village of Kenmore Police Department, at a salary of \$95,899.00, effective October 7, 2020.

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

Mayor Mang congratulated Lieutenant Osiadlo. Lieutenant Osiadlo introduced his family.

BOARD APPROVED AND GRANTED PERMISSION TO THE POLICE CHIEF TO ATTEND A TRAINING COURSE, OCTOBER 28-29, 2020.

Trustee DeCecco moved to approve and grant permission to Police Chief Thomas J. Phillips to attend a course entitled "Leadership Summit" on October 28-29, 2020 in Lake George, New York, with expenses.

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

BOARD APPROVED AND GRANTED PERMISSION TO A DEPARTMENT OF PUBLIC WORKS EMPLOYEE TO ATTEND A TRAINING COURSE, OCTOBER 27, 2020.

Trustee Burd moved to approve and grant permission to Department of Public Works employee Scott Hayward to attend a course entitled “HDPE, Pipe and Applications” on October 27, 2020 in Albion, New York, with expenses.

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

BOARD APPROVED A RESOLUTION PERTAINING TO A FUND TRANSFER FOR THE WARDMAN ROAD STREET RECONSTRUCTION PROJECT.

Trustee Catalano moved to approve a Resolution pertaining to a fund transfer for the Wardman Road Street reconstruction Project. A copy of the resolution has been appended to these minutes for record purposes.

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

BOARD APPROVED A RESOLUTION DESIGNATING EMERGENCY STATUS TO A DEPARTMENT OF PUBLIC WORKS EXPENDITURE.

Trustee Burd moved to approve a resolution designating Emergency Status to a Department of Public Works expenditure under Section 103 (4) of the General Municipal Law. A copy of the resolution has been appended to these minutes for record purposes.

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

BOARD APPROVED A CHANGE ORDER FOR THE DEPARTMENT OF PUBLIC WORKS MASONRY REPAIR/ROOF REPLACEMENT PROJECT

Trustee DeCecco moved to approve a Change Order for the Department of Public Works Masonry Repair/Roof Replacement Project in the amount of \$37,345.00

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

BOARD APPROVED A STREET CLOSURE FOR THE EAST GIRARD FALL ISLAND CLEAN UP.

Trustee Catalano moved to approve a request for a street closure on East Girard on October 17, 2020, to facilitate the annual fall island cleanup at the request of Peggy Ivancic.

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

ABSTRACT OF AUDITED VOUCHERS.

Trustee Burd 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 6, 2020 in the amount of \$375,734.25; General Fund \$284,625.30; Water Fund \$64,209.33; Sewer Fund \$7,888.65; Capital Fund \$18,272.75; Community Development \$738.22 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

The Mayor asked if anyone wished to be heard.

Russ Scherwitz, 35 Nassau Apt. 2, said he has a concern for those collecting bottles from recycle totes. He feels that that the Village should support this activity as the tote pickers are performing a public service. He says he contacted the Kenmore Police Department and an employee said that this activity would need to be approved by the Board. He feels that rummaging through recycle totes should be universally allowed without need for approvals or permits. He is requesting that the Board abolish any law which would prohibit this activity.

Mayor Mang stated when garbage and recycle totes are placed in the Village Right of Way (ROW), it becomes the Village of Kenmore's property, and our responsibility. He doesn't want people rummaging through the totes and making a mess. Mr. Scherwitz pointed out that garbage pickers collect large, free-standing items found in the ROW, and nothing is done to discourage this activity.

Mr. Scherwitz feels that when the police ask those rummaging through recycle totes to stop, they are punishing people who are trying to make money by collecting and returning bottles and cans. He notes that the current laws were put into effect in 1992 and that, at that time, recyclables were not separated from other trash. He acknowledges that, at that time, it would create a mess to go through garbage to get bottles and cans. However, he believes that, with a separate recycle tote, there is less mess.

Mr. Scherwitz stated that, if the Police are allowed to rummage through garbage to obtain evidence, everyone should be allowed to do so, especially where it can bring value to others. He feels that, in allowing people to go through recycle totes to get bottles, not only is this activity

providing needed income to those sifting through totes, it also helps to promote the purpose of the deposit fee – to have these cans properly disposed of.

Here, he observed someone going through recycle totes on his street in search of bottles and cans. Three officers approached the man and encouraged him to move on. When he refused, they issued a ticket. He says that times are tough, and the Village should support such activity.

Mayor Mang stated that he doesn't think the law should be changed. Mr. Scherwitz asked how he could get the Village to consider changing the law. The Mayor stated that he's never received a request like this before. He suggested that a petition, signed by as many residents as possible would be a starting point. When asked how many signatures were needed, the Mayor said that there is not a specific number needed, but suggested 1000 signatures, which could then be submitted to the Clerk/Treasurer or to the Board.

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

The next meeting of the Board of Trustees will be held on October 20, 2020 at 8:00 p.m.

Kathleen P. Johnson
Village Clerk/Treasurer