AGENDA
VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW
January 28, 2019 7:00PM

PLEDGE OF ALLEGIANCE
INVOCATION – St. John’s Lutheran – Rev. Galen Purpura
NOTIFICATION OF FIRE EXITS
ROLL CALL:
  Trustee Jakubowski -
  Trustee Bukowiecki -
  Trustee Hamernik -
  Trustee Peterson -
  Mayor Nikonowicz -
APPROVE VILLAGE BOARD MINUTES – January 14, 2019

PUBLIC COMMENT – AGENDA ITEMS ONLY
  1. Appoint – New Police Chief
  2. Accept – Resignation
  3. Appoint – Planning Board Member
  4. Permission to Advertise – Public Hearing Garbage Law
  5. Permission to Sign - Hydrant
  6. Permission to Sign - GHD
  7. Authorize Local Match
  8. Permission to sign – SEQR II
  9. Employment Application – Senior – Catherine Albee, DPW – Brendan Bruce
10. Department Head Reports – Building - End of year 2018,
11. Unfinished and Other Business
12. Public Concerns and Comments
13. Claims and Accounts
14. Adjournment
APPOINT NEW POLICE CHIEF

Pursuant to Section 4-400 of Village Law, I, Mayor Jesse Nikonowicz do hereby appoint Jerome Miller, 62 Pheasant Run, Lancaster, NY 14086 to the position of Depew Police Chief at a salary of $116,000 per year effective January 29, 2019.

The foregoing nomination was acted upon in the following manner by the Village Board of Trustees:

Trustee Jakubowski -
Trustee Bukowiecki -
Trustee Hamernik -
Trustee Peterson -
Mayor Nikonowicz -
RESOLUTION

January 28, 2019

ACCEPT RESIGNATION – Planning Board Member

Trustee __________, offered the following resolution and moved for its adoption:

BE IT RESOLVED, the resignation of Antonia Murray-Wojciechowicz, as Planning Board Member, effective immediately is accepted.

The foregoing resolution was seconded by Trustee __________ and duly put to a roll call vote which resulted in the following:

Trustee Jakubowski –
Trustee Bukowiecki –
Trustee Hamernik –
Trustee Peterson –
Mayor Nikonowicz –
RESOLUTION

APPOINT PLANNING BOARD MEMBER

Pursuant to Section 4-400 of Village Law, I, Mayor Jesse Nikonowicz do hereby appoint Robert Murawski, 491 French Rd, Depew, NY 14043 to the Village Planning Board, said term to expire at noon on the first Monday of April 2020, at a salary of $50 per meeting.

The foregoing nomination was acted upon in the following manner by the Village Board of Trustees:

Trustee Jakubowski -
Trustee Bukowiecki -
Trustee Hamernik -
Trustee Peterson -
Mayor Nikonowicz -
RESOLUTION

January 28, 2019

AUTHORIZE ADMINISTRATOR TO ADVERTISE FOR PUBLIC HEARING—CHANGES TO VILLAGE CODE, SECTION 198, SOLID WASTE

Trustee ________, offered the following resolution and moved for its adoption:

WHEREAS, the Village enacted a six month moratorium on the sale of totes on November 12, 2018 for the purpose of amending the Village Code, Chapter 198, Solid Waste, and

WHEREAS, the Village discussed possible resolutions to bring the Village Code into compliance with the contracts for solid waste disposal, at a pre-Board meeting on January 14, 2019, and

WHEREAS, those discussions resulted in consensus on the terms and issues needed to amend the Village Code,

BE IT RESOLVED, the Village Administrator is hereby authorized to advertise for public hearing to be held on February 11, 2019 at 7:00pm regarding the following resolution for amendments to Section 198 of the Code of the Village of Depew:

1. That Section 198 of the Code of the Village of Depew, titled “SOLID WASTE” shall be amended as follows:

   Section 198-2 Definitions. shall be amended as by inserting in alphabetical order the following:

   “SMALL COMMERCIAL UNITS.
   For purposes of solid waste disposal, a “small commercial unit” shall be those businesses in the Village which have wastes in similar quantities and types as a residential unit.”

   and

   The heading “UNITS” shall be amended to be “RESIDENTIAL UNITS.”, and the definition shall be placed alphabetically in Definitions.

2. That Section 198-3 shall be replaced in its entirety as follows:

   “Totes.
   Recycling Totes shall be 65 or 95 gallon wheeled carts designated by a green lid or other color as determined by the Village.

   Garbage Totes shall be 65 or 95 gallon wheeled carts designated by a black lid or other color as determined by the Village.
All Totes shall be purchased directly through the Village, at a cost to be determined by the Village of Depew. Upon payment of the Totes cost or fee by the Residential unit or the Small Commercial unit, the Totes shall become the property of the unit purchaser.

Only residential units and small commercial units are entitled to purchase totes to be used by the Village contracted garbage collector. All Residential Units and Small Commercial Units shall be entitled to own from 1-3 Garbage Totes and/or 1-2 Recycling Totes but in no case shall a residential or commercial unit own more than 4 total Totes.”

3. All other portions of Section 198 of the Village Code, not affected by this amendment, shall remain in full force and effect.

4. Effective date: This amendment to the Village Code shall take effect immediately, and shall be added to the text of the Village Code thereafter.

The forgoing resolution was seconded by Trustee __________, and CARRIED.

Trustee Jakubowski -
Trustee Bukowiecki -
Trustee Hamernik -
Trustee Peterson -
Mayor Nikonowicz -
RESOLUTION

January 28, 2019

AUTHORIZE MAYOR TO SIGN PERMISSION – ECWA

Trustee__________, offered the following resolution and moved for its adoption:

WHEREAS, ECWA has requested permission to add a new, additional fire hydrant on Walden & Vanderbilt in the Village of Depew at no cost to the Village for installation or supplies, and

WHEREAS, this hydrant will assist businesses located in the Village to continue to do business, employ workers and pay Village taxes, and

WHEREAS, this hydrant will be installed to satisfy NFPA 18.5.3 (2) of the 2015 fire code requirement of 500 ft max between hydrants at time of water improvement project.

WHEREAS, the Village will pay the yearly contract fee with Erie County Water

WHEREAS, Village law requires that the Board of Trustees are responsible for granting or denying permission for additional fire hydrant within the Village,

NOW THEREFORE, BE IT RESOLVED, that permission is granted by the Board of Trustees and Mayor Jesse Nikonowicz is authorized to sign any documents needed for the ECWA to add a New Fire Hydrant on Walden Ave. and Vanderbilt Ave,

The foregoing resolution was seconded by Trustee_________ and duly put to a roll call vote which resulted in the following:

Trustee Jakubowski -
Trustee Bukowiecki-
Trustee Hamernik -
Trustee Peterson -
Mayor Nikonowicz -

VILLAGE OF DEPEW
BOARD MEETING
January 28, 2019

Agenda Item # 5

Approved ___Denied
Authorization for Mayor to sign Grant Agreement

Trustee ______________ offered the following resolution and moved for its adoption:

BE IT RESOLVED, that the Mayor is authorized to execute a Grant Agreement with the NYS Environmental Facilities Corporation and any and all other contracts, documents and instruments necessary to bring about the Project and to fulfill the Village of Depew’s obligation under the Engineering Planning Grant Agreement.

The foregoing resolution was seconded by Trustee ______________, and duly put to a roll call vote which resulted in the following:

Trustee Jakubowski-
Trustee Bukowiecki-
Trustee Hamernik-
Trustee Peterson-
Mayor Nikonowicz --
RESOLUTION

January 28, 2019

Authorization and Appropriation of Local Match (20% local match)

Trustee __________, offered the following resolution and moved for its adoption:

BE IT RESOLVED, that the Village authorizes and appropriates a minimum of 20% local match as required by the Engineering Planning Grant Program for the Village of Depew Engineering Study (Phase 5) involving the evaluation of inflow and infiltration sources within the Village sanitary sewer collection system associated with Sewershed No. 4. Under the Engineering Planning Grant Program, this local match must be at least 20% of the total project cost. The maximum local share appropriated, subject to any changes agreed to by the Mayor, shall not exceed $25,000 based upon a total estimated maximum project cost of $125,000.00. The Mayor may increase this local match through the use in kind services without further approval for the Village of Depew.

The foregoing resolution was seconded by Trustee ______________, and duly put to a roll call vote which resulted in the following:

Trustee Jakubowski-
Trustee Bukowiecki -
Trustee Hamernik -
Trustee Peterson –
Mayor Nikonowicz -

VILLAGE OF DEPEW
BOARD MEETING
January 28, 2019

Agenda Item # 7

Approved __ Denied
RESOLUTION
January 28, 2019

VILLAGE OF DEPEW SSES PHASE 5 TYPE 2 SEQR

WHEREAS, Title 6 of the New York Code of Rules and Regulations (6 NYCRR) Section 617.5 under the State Environmental Quality Review Act (SEQR) provides that certain actions identified in subdivision (c) of that section are not subject to environmental review under the Environmental Conservation Law;

NOW, THEREFORE, BE IT RESOLVED that the Village of Depew hereby determines that the proposed SSES Phase 5 is a Type 2 action in accordance with 6 NYCRR Section 617.5(c)(24) which constitutes information collection, including basic data collection and research; water quality and pollution studies, traffic counts, engineering studies; surveys; subsurface investigations; and soils studies that do not commit the agency to undertake, fund or approve any Type 1 or Unlisted action; and is therefore not subject to further review under 6 NYCRR Part 617.

Trustee Jakubowski -
Trustee Bukowiecki -
Trustee Hamernik -
Trustee Peterson -
Mayor Nikonowicz -

VILLAGE OF DEPEW
BOARD MEETING
January 28, 2019
Agenda Item # 8

Approved ___ Denied ___