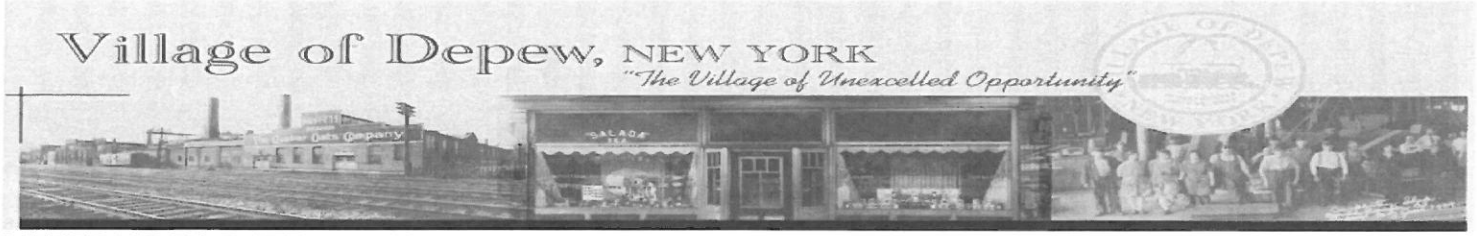

MEETINGS TO DATE: 13
NO. OF REGULARS: 12

AGENDA

VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW
October 11, 2016 7:00PM

ROLL CALL:

Trustee Jakubowski
Trustee Bukowiecki
Trustee Peterson
Trustee Kucewicz
Mayor Nikonowicz

PLEDGE OF ALLEGIANCE
INVOCATION – Pastor Brian Williams from North Point Church
NOTIFICATION OF FIRE EXITS

APPROVE VILLAGE BOARD MINUTES September 26, 2016
ACCEPT ZONING BOARD MINUTES September 22, 2016

1. Allen Baker- 42 Hanwell Place- Store commercial equipment on property. Denied
2. Barclay Damon, LLP on behalf of Up State Tower Co. LLC.- 0 Gould Avenue- to request a setback variance for the location of a communication tower within 500ft of a church property. Approved

PUBLIC COMMENT – AGENDA ITEMS ONLY

1. Approve Longevity – Non Union
2. Permission to Sign – Upstate Towers/Blue Wireless
3. Negative Declaration, Upstate Towers
4. Permission to sign Consultant Agreement – Utility Audit
5. Permission to sign DOT – Transit Rd.
6. Budget Adjustments
7. Budget Modifications
8. Permission to Advertise Public Hearing – CDBG funding
9. Advertise Election
10. Reject 2016 Sidewalk Bids, Permission to Advertise Rebid
11. Surplus Property
12. Employment Applications:
13. Department Head Reports: Police Department August 2016, Fire Department August 2016, DPW September 2016
14. Committee Reports:
15. Unfinished and Other Business:
16. Public Concerns and Comments
17. Claims and Accounts
18. Adjournment

RESOLUTION OCTOBER 11, 2016

APPROVE LONGEVITY PAYMENTS

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

WHEREAS, the Employee Handbook requires longevity payments to non union personnel to be approved by the Village Board;

BE IT RESOLVED, longevity payments, as per the current budget, for the 2016-2017 be approved for the following:

Jacki Federowicz - $1125
Maureen Jerackas - $0
Melissa Barr - $900
Linda Gangloff - $0
Margie Burzynski- $450
Phillip Fleck - $1,452.70
Kenneth Kaczmarek - $1525
Stanley Carwile - $ 1350

These payments will be paid to the employees the first payroll in November 2016.

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

Trustee Jakubowski -
Trustee Bukowiecki-
Trustee Peterson-
Trustee Kucewicz -
Mayor Nikonowicz -

VILLAGE OF DEPEW
BOARD MEETING
OCTOBER 11, 2016

Agenda Item # 1

__Approved __Denied

RESOLUTION October 11, 2016

AUTHORIZATION FOR MAYOR TO SIGN AGREEMENT WITH UPSTATE CELLULAR AND/OR BLUE WIRELESS

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

WHEREAS, the Village of Depew had previously hired a negotiator to negotiate terms favorable to the Village for the placement of cellular towers on Village owned property, and,

WHEREAS, the personnel from Upstate Cellular/Blue Wireless have also publicly stated to the Planning and Zoning Board that they would additionally take down the existing cellular towers located at the Depew Village Hall, 85 Manitou Street, Depew, NY and Depew Department of Public Works, located at 200 Rutherford Pl., Depew, NY, and

Whereas the existing cellular tower at those two locations are wholly owned by the Village of Depew,

,

BE IT RESOLVED, that Mayor Jesse Nikonowicz is hereby authorized to sign the Agreement with Upstate Cellular/Blue Wireless on behalf of the Village of Depew, along with an addendum that binds Upstate Cellular/Blue Wireless to the removal of existing towers with the proceeds from any sale of scrap metal to be retained by the Village.

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

Trustee Jakubowicz
Trustee Bukowiecki
Trustee Peterson
Trustee Kucewicz
Mayor Nikonowicz

VILLAGE OF DEPEW
BOARD MEETING
October 11, 2016

Agenda Item # 2

___Approved ___Denied

RESOLUTION October 11, 2016

NEGATIVE DECLARATION RELATING TO THE ENVIRONMENTAL IMPACT OF THE THREE PROPOSED CELLULAR TOWER FOR BLUE WIRELESS

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

WHEREAS, the Village of Depew Planning Board has previously reviewed the individual applications of Upstate Cellular and Blue Wireless to place 150 ft. cellular towers on properties located behind Village Hall, 85 Manitou St., Depew, NY; the Village Department of Public Works, located at 200 Rutherford Pl., Depew, NY and Village property located at the end of Taylor Road, and

WHEREAS, The Planning Board has recommended approval of the application for each of the three cell towers,

BE IT RESOLVED, the Board of Trustees and Mayor hereby make a declaration that regarding the cellular tower to be located behind Village Hall, there is NO substantial evidence that the project may have a significant effect on the environment, and

BE IT RESOLVED, the Board of Trustees and Mayor hereby make a declaration that regarding the cellular tower at the Village Department of Public Works (DPW), there is NO substantial evidence that the project may have a significant effect on the environment, and

BE IT RESOLVED, the Board of Trustees and Mayor hereby make a declaration that regarding the cellular tower at the Village property located at the end of Taylor Road, there is NO substantial evidence that the project may have a significant effect on the environment, and

BE IT RESOLVED, that the Board of Trustees issues a negative declaration for all three properties.

The forgoing resolution was seconded by Trustee _____, and **CARRIED.**

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

VILLAGE OF DEPEW
BOARD MEETING
October 11, 2016
Agenda Item # 3

__Approved ___Denied

RESOLUTION October 11, 2016

AUTHORIZE MAYOR TO SIGN CONSULTING AGREEMENT – Utility Savings Audit

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

WHEREAS, the Village of Depew currently received Gross Receipt Tax and Franchise Fees as Revenue; and

WHEREAS, the Village of Depew would like to have these Revenues Audited to see if there have been underpayments.

NOW THEREFORE BE IT RESOLVED, that Mayor Jesse Nikonowicz is authorized to sign a Consulting agreement with Computel Consultants for this service with a one-time Forty Percent saving recovered fee.

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 Peterson-
Trustee Kucewicz -
Mayor Nikonowicz -

VILLAGE OF DEPEW
BOARD MEETING
October 11, 2016

Agenda Item # 4
__Approved ___Denied

RESOLUTION October 11, 2016

PERMISSION TO SIGN DOT

WHEREAS, the New York State Department of Transportation proposed the construction, reconstruction, or improvement of Highway Project – NY Route 78 (Transit Rd.) Terrace Boulevard to George Urban Boulevard including the removal of Bin 7030220, Village of Depew Town of Cheektowaga and Town of Lancaster Erie County, Pin 5812.50 and

WHEREAS, the State will include as part of the construction, reconstruction, or improvement of the above mentioned project the Sanitary Sewer / Manhole & Street Lights improvements pursuant to Section 10, Subdivision 24, of the State Highway Law, as shown on the contract plans relating to the project and meeting the requirements of the owner, and

WHEREAS, the service life of the relocated and or replaced utilities has not been extended, and

WHEREAS, the State will provide for the reconstruction of the above mentioned work, as shown on the contract plans relating to the above mentioned project.

NOW, THEREFORE,

BE IT RESOLVED, That the Village of Depew approves of Sanitary Sewer / Manhole & Street Lights improvements and the above mentioned work performed on the project and shown on the contract plans relating to the project and that the Village of Depew will maintain or cause to be maintained the adjusted facilities performed as above stated and as shown on the contract plans.

BE IT FURTHER RESOLVED, that Mayor Jesse Nikonowicz has the authority to sign, with the concurrence of the Village Board, any and all documentation that may become necessary as a result of the project as it relates to the Village of Depew, and

BE IT FURTHER RESOLVED, that the Clerk of the Village of Depew is hereby directed to transmit five (5) certified copies of the foregoing resolution to the New York State Department of Transportation.

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

VILLAGE OF DEPEW
BOARD MEETING
October 11, 2016

Agenda Item #5

_Approved ___Denied

RESOLUTION October 11, 2016

MODIFY 2016/2017 BUDGET

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

BE IT RESOLVED, the Administrator is hereby authorized to modify the 2016/2017 Budget in the following manner:

See attached spreadsheet with budget transfers.

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

Trustee Jakubowski-
Trustee Bukowiecki -
Trustee Peterson -
Trustee Kucewicz -
Mayor Nikonowicz -

VILLAGE OF DEPEW
BOARD MEETING
October 11, 2016
Agenda Item #6

__Approved ___Denied

RESOLUTION October 11, 2016

MODIFY 2016/2017 BUDGET

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

BE IT RESOLVED, the Administrator is hereby authorized to modify the 2016/2017 Budget in the following manner:

Revenues - Other Classified 4-2770 $600.00
Expenditures - Fire - Materials 3410-414 $600.00 –Tim Hortons

Revenues - Misc 4-2655 $235.77
Expenditures – Recreation 7020-402 $235.77 – Village Shirts

Revenues – Other Classified 4-2770 $630.00
Expenditures – Fire – Materials 3410-414 - $630.00 Casey's Salvage

Revenues – Other Classified 4-2770 $3,100.00
Expenditures – Fire – Grounds Maintance 3410-450 - $3,100.00 Ins Recovery

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

Trustee Jakubowski -
Trustee Bukowiecki -
Trustee Peterson -
Trustee Kucewicz -
Mayor Nikonowicz -

VILLAGE OF DEPEW
BOARD MEETING
October 11, 2016
Agenda Item #7

_Approved ___Denied

RESOLUTION October 11, 2016

AUTHORIZE ADMINISTRATOR TO ADVERTISE FOR A PUBLIC HEARING – COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING

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

BE IT RESOLVED, the Village Administrator is hereby authorized to advertise for a Public Hearing regarding Federal Community Development Block Grant Funding Projects in the Village of Depew to be held on Monday, October 24, 2016 at 7:00 pm.

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

VILLAGE OF DEPEW
BOARD MEETING
October 11, 2016
Agenda Item # 8

__Approved ___Denied

RESOLUTION OCTOBER 11, 2016

AUTHORIZE VILLAGE ADMINISTRATOR TO ADVERTISE FOR VILLAGE ELECTION

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

WHEREAS, a General Village Election for the Village of Depew will be held on Tuesday, March 21, 2016 for the following offices:

Village Trustee -	Four Year Term
Village Trustee -	Four Year Term
Village Justice -	Four Year Term

THEREFORE, BE IT RESOLVED, that the Village Administrator is hereby authorized to have published in the Depew Bee a listing of the Offices to be filled by the March 21, 2016 General Village Election.

The forgoing resolution was seconded by Trustee Pecora, and **CARRIED.**

VILLAGE OF DEPEW
BOARD MEETING
OCTOBER 11, 2016

Agenda Item # 9

__Approved ___Denied

RESOLUTION October 11, 2016

REJECT BID- 2016 SIDEWALK CDBG AND PERMISSION TO ADVERTISE REBID

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

BE IT RESOLVED, that upon the recommendation of the Village Engineer, all the bids for the 2016 Sidewalk CDBG Project from the bid opening on August 18, 2016 are being rejected.

BE IT RESOLVED, the Village Administrator is hereby authorized to advertise for bids (rebids) for the 2016 Community Development Sidewalk Improvement Project (Cheektowaga side and Lancaster side), date will be set for early spring once the bid package is completed.

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

Trustee Jakubowski -
Trustee Bukowiecki-
Trustee Peterson-
Trustee Kucewicz -
Mayor Nikonowicz -

VILLAGE OF DEPEW
BOARD MEETING
October 11, 2016

Agenda Item # 10

_Approved ___Denied

RESOLUTION OCTOBER 11, 2016

DECLARE SURPLUS PROPERTY

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

BE IT RESOLVED, the Department of Public Works has a 1996 Sweeper, a 2004 Chipper, a Vibratory Tamper, and the Fire Department has a 1985 Pierce Pumper Truck (E3) that are surplus and are due to be traded in, sold or auctioned off in the near future.

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 Peterson-
Trustee Kucewicz -
Mayor Nikonowicz -

VILLAGE OF DEPEW
BOARD MEETING
OCTOBER 11, 2016

Agenda Item #11

__Approved ___Denied