



MEETINGS TO DATE: 5
NO. OF REGULARS: 4

AGENDA

VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW
May 23, 2016 7:00PM

ROLL CALL:

Trustee Jakubowski
Trustee Bukowiecki
Trustee Peterson
Trustee Kucewicz
Mayor Nikonowicz

PLEDGE OF ALLEGIANCE

INVOCATION – St. Martha’s Church – Father Bart Lipiec

NOTIFICATION OF FIRE EXITS

APPROVE VILLAGE BOARD MINUTES MAY 9, 2016

APPROVE PLANNING BOARD MEETING MAY 5, 2016

1. Joseph Mancini DBA: PJ Cools - 6160 Transit Road- to create an outdoor/exterior dining. The current zoning is C-2 Shopping Center District. Accept with stipulations.
2. C & S Engineers, Inc. on behalf of Burgio & Campofelice - 2475 George Urban Boulevard- To develop the 19.27 acre site at 2475 George Urban Boulevard with a new 196,000 square foot warehouse building with employee parking and truck loading docks. The current zoning is M-1 Light Industrial. Accept with stipulations.
3. Michael Adolf representing ADCO Management, LLC - 476 Terrace Blvd.- convert a 3 bedroom residential unit in an existing 7 unit building into two 1 bedroom apartments for a total of 8 units. Accept with stipulations.

PUBLIC COMMENT – AGENDA ITEMS ONLY

1. Appoint Part Time Seasonal DPW
2. Appoint Part Time Seasonal Recreation
3. Adopt Local Law #2
4. Adopt Local Law #3
5. Amend Adopt Budget
6. Accept Ridgeway Bid
7. Permission to sign Garbage
8. Permission to sign U&S Services
9. Permission to sign inter-municipal Cheektowaga
10. Permission to sign Insurance
11. Pending Litigation
12. Budget Adjustments
13. Modify Budget 15/16
14. Employment Applications: DPW – Kenneth Butler, Code – Valeri Pepi, Sales/Marketing -Michael Hamilton, Recreation – Thomas Fritton, Kevin Stevens, Jennifer Freeman, Bridget Herod,
15. Department Head Reports: Police Department April 2016, Fire Department Report Jan-May 2016
16. Committee Reports:
17. Unfinished and Other Business:
18. Public Concerns and Comments
19. Claims and Accounts
20. Adjournment

RESOLUTION

May 23, 2016

APPOINT PT SEASONAL DPW

Pursuant to Section 4-400 of Village Law, I Mayor Jesse Nikonowicz, do hereby appoint

Kevin Fusani, 343 Canton Street, Depew, NY 14043,
Andrew Mrozek, 66 Green Terrace, Depew, NY 14043,
Brandon Atlas, 46 West 5th Street, Depew, NY 14043,
Michael Kranz, 87 Fairview Court, Depew, NY 14043,
to the position of Seasonal Laborers Part Time at the Department of Public Works,
effective 6/06/2016, at \$13.00 per hour for 10 weeks.

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

Trustee Jakubowski
Trustee Bukowiecki
Trustee Peterson
Trustee Kucewicz
Mayor Nikonowicz

VILLAGE OF DEPEW
BOARD MEETING
MAY 23, 2016
Agenda Item # 1

Approved Denied

RESOLUTION

May 23, 2016

APPOINT PT SUMMER RECREATION PROGRAM

Pursuant to Section 4-400 of Village Law, I Mayor Jesse Nikonowicz, do hereby appoint the following to the summer recreation program

See attached List

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

Trustee Jakubowski
Trustee Bukowiecki
Trustee Peterson
Trustee Kucewicz
Mayor Nikonowicz

VILLAGE OF DEPEW
BOARD MEETING
May 23, 2016
Agenda Item # 3

Approved Denied

RESOLUTION

MAY 23, 2016

ADOPT LOCAL LAW #2 OF 2016 – Planning Board Alternate

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

WHEREAS, the Board of Trustees of the Village of Depew, New York held a public hearing on May 9, 2016 at 7:00 pm in the Council Chambers of the Municipal Building, 85 Manitou St, Depew, NY to consider the adoption of a local law authorizing ESTABLISHMENT AND APPOINTMENT OF ALTERNATE MEMBER OF THE PLANNING BOARD the Village Law of the State of New York section 7-718 (16)

WHEREAS, all persons were given an opportunity to speak for or against this local law;

WHEREAS, the proposed local law to be adopted is as follows:

Section 1: The Village Board of Trustees hereby establishes one (1) position of Alternate Planning Board member for the purposes of substituting for a member if the member is unable to attend due to vacation, illness, conflict of interest, resignation or any other reason;

Section 2: The alternate member shall be appointed by the Mayor, subject to the approval of the Board of Trustees for a term established by the board of trustees;

Section 3: After appointment of an alternate member, the Chairman of the Planning Board shall designate the alternate member to substitute for the absent member, and such designation shall be for one specific meeting only, but may be renewed on a meeting by meeting basis; When so designated the alternate member shall possess all of the powers and responsibilities of such member of the board; Such designation shall be entered into the minutes of the at the initial Planning Board meeting at which the substitution is made.

Section 4: All provisions relating to Planning Board training, continuing education, attendance, conflict of interest, compensation for individual meetings attended, eligibility, vacancy in office, removal and service on other boards, shall also apply to the alternate member.

Section 5: Effective date -This local law shall take effect immediately upon filing with the Secretary of State.

NOW THEREFORE, BE IT RESOLVED, this local law is hereby adopted.

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 –

<p>VILLAGE OF DEPEW BOARD MEETING MAY 23, 2016</p> <p>Agenda Item # 3</p> <p><input type="checkbox"/> Approved <input type="checkbox"/> Denied</p>
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ADOPT LOCAL LAW #3 OF 2016 – Zoning Board Alternate

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

WHEREAS, the Board of Trustees of the Village of Depew, New York held a public hearing on May 9, 2016 at 7:05 pm in the Council Chambers of the Municipal Building, 85 Manitou St, Depew, NY to consider the adoption of a local law authorizing ESTABLISHMENT AND APPOINTMENT OF ALTERNATE MEMBER OF THE ZONING BOARD the Village Law of the State of New York section 7-712 (1)

WHEREAS, all persons were given an opportunity to speak for or against this local law;

WHEREAS, the proposed local law to be adopted is as follows:

Section 1: The Village Board of Trustees hereby establishes one (1) position of Alternate Zoning Board of Appeals member for the purposes of substituting for a member if the member is unable to attend due to vacation, illness, conflict of interest, resignation or any other reason;

Section 2: The alternate member shall be appointed by the Mayor, subject to the approval of the Board of Trustees for a term established by the board of trustees;

Section 3: After appointment of an alternate member, the Chairman of the Zoning Board of Appeals shall designate the alternate member to substitute for the absent member, and such designation shall be for one specific meeting only, but may be renewed on a meeting by meeting basis; When so designated the alternate member shall possess all of the powers and responsibilities of such member of the board; Such designation shall be entered into the minutes of the at the initial Zoning Board of Appeals meeting at which the substitution is made.

Section 4: All provisions relating to Zoning Board of Appeals training, continuing education, attendance, conflict of interest, compensation for individual meetings attended, eligibility, vacancy in office, removal and service on other boards, shall also apply to the alternate member.

Section 5: Effective date -This local law shall take effect immediately upon filing with the Secretary of State.

NOW THEREFORE, BE IT RESOLVED, this local law is hereby adopted.

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 MAY 23, 2016
Agenda Item # 4
<input type="checkbox"/> Approved <input type="checkbox"/> Denied

RESOLUTION

May 23, 2016

AMEND AGENDA ITEM #1 OF APRIL 29, 2016 - ADOPT 2016-2017 BUDGET

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

WHEREAS, the NYS Department of Taxation and finance has a calculation for Equalization rates;

AND WHEREAS, in the current tax year for the 2016-17 budget, the equalization rate for the Village of Depew inside the Town of Lancaster is 98% and the Village of Depew in the Town of Cheektowaga is 100%

AND WHEREAS, the Total Assessed Value of 100% was used to calculate one item of the 2016-17 budget, where instead of the Equalized Full Value of 98% is the accurate valuation for that item on page 1 titled Taxable Full Valuation;

AND WHEREAS, this change DECREASES the 2016-2017 taxable rate per \$1,000 on the Cheektowaga rate from 12.114022 to \$12.022456 per \$1000 and the Lancaster rate from 12.361247 to \$12.267812 per \$1000 of assessed value;

AND WHEREAS, the levy has not been changed by the correction of this taxable rate;

NOW, BE IT RESOLVED, that the amended portion of Agenda item #1 of April 29, 2016 shall read as follows;

the Budget for the Village of Depew for the fiscal year 2016/2017 is hereby **ADOPTED** with a tax rate of \$ 12.022456 per thousand for residents on the Cheektowaga portion of Depew and \$12.267812 per thousand for residents on the Lancaster portion of Depew.

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
May 23, 2016

Agenda Item #5

Approved Denied

AWARD BID – VACANT LAND – RIDGEWAY ST

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

WHEREAS, the Village of Depew sought bids for the sale of surplus property on Ridgeway St. –Portions of Parcels 104.24-2-16, 104.24-2-17, 104.24-2-18, 104.24-2-19, 104.24-2-20, 104.24-2-21, 104.24-2-22, (40’ x 210’)

WHEREAS, bids were opened on Wednesday May 11, 2016 at 10:00 am in the Council Chambers, and

WHEREAS, there was one bid and it met the Village requirement for a minimum bid, based upon a recent appraisal,

NOW THEREFORE BE IT RESOLVED, that the bid in the amount of \$8,000 from Joseph Memminger, 23 Ridgeway St. Depew be accepted for the 8,400 sq. ft. parcel owned by the Village of Depew on Ridgeway St. north of the creek, and

BE IT FURTHER RESOLVED that the Mayor is authorized to sign all necessary paperwork for the transfer of the property.

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

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

<p>VILLAGE OF DEPEW BOARD MEETING MAY 23, 2016</p> <p>Agenda Item # 6</p> <p><input type="checkbox"/> Approved <input type="checkbox"/> Denied</p>

RESOLUTION

May 23, 2016

PERMISSION TO SIGN – WASTE COLLECTION & DISPOSAL

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

WHEREAS, the Village of Depew sought bids for the Collection, Hauling and processing of Mixed Municipal Solid waste, Bulk Waste and Recyclables, and

WHEREAS, the low bidder was Modern Corporation in the amount of \$110.41 per unit and \$42.50 per ton for Mixed Municipal solid waste and \$0.00 for processing recyclables;

BE IT RESOLVED, Mayor Jesse Nikonowicz is authorized to sign the agreement with

Modern Corporation
4746 Model City Road
Model City, NY 14107

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
May 23, 2016

Agenda Item # 7

 Approved Denied

AUTHORIZE MAYOR TO SIGN AGREEMENT –U & S SERVICES

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

BE IT RESOLVED, that Mayor Jesse Nikonowicz, is authorized to sign an agreement with U & S Services Inc, 95 Stark Street, Tonawanda, NY 14150 beginning May 1, 2016 for a service agreement to cover the equipment and service calls for the CPU units, peripheral equipment, field panels and software associated with the Village heating and air conditioning systems at a cost of \$6,073.00 per year.

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-

<p>VILLAGE OF DEPEW BOARD MEETING May 23, 2016</p> <p>Agenda Item # 8</p> <p><u> </u>Approved <u> </u>Denied</p>

AUTHORIZE MAYOR TO SIGN INTER- MUNICIPAL AGREEMENT WITH TOWN OF CHEEKTOWAGA

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

WHEREAS, the Village is currently owns and maintains the North portion of Keicher Rd Depew, New York 14043 which is approximately 600feet by 26feet wide, which is located in the Town of Cheektowaga portion of the Village of Depew, , and;

WHEREAS, the Town of Cheektowaga, owns and maintains the remaining portion of Keicher Rd. which extends to the dead end and is located outside the Village of Depew and solely within the Town;

WHEREAS, said entire roadway needs construction; and

WHEREAS, both the Town and Village have available manpower, machinery and equipment to provide said construction services; and

WHEREAS, the Town and Village are desirous of entering into a municipal cooperation agreement to reconstruct said road; and

WHEREAS, the Village Board has duly authorized an agreement with the Town for the purpose of entering into this agreement for said street and roadway reconstruction work by terms of the contract; and

WHEREAS, the town and village will each pay half of the \$9,600 total cost of materials and outside labor.

NOW THEREFORE BE IT RESOLVED, that Mayor Jesse Nikonowicz, is authorized to sign the Agreement with the Town of Cheektowaga, New York, for the street reconstructive costs and services for Keicher Rd..

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 May 23, 2016
Agenda Item # 9
___Approved ___ Denied

Resolution

MAY 23, 2016

Permission Pending Litigation

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

WHEREAS, the Village of Depew met in executive session on May 9, 2016 to discuss a matter of pending Litigation; and,

WHEREAS, the board wishes to negotiate a resolution to the litigation,

NOW THEREFORE, BE IT RESOLVED, that the village board asks that the Village attorney move forward with the discussed negotiation.

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

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

VILLAGE OF DEPEW
BOARD MEETING
MAY 23, 2016

Agenda Item # 11

___Approved ___Denied

RESOLUTION

May 23, 2016

MODIFY 2015/2016 BUDGET

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

BE IT RESOLVED, the Administrator is hereby authorized to modify the 2015/2016 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
May 23, 2016
Agenda Item #12

Approved Denied

MODIFY 2015/2016 BUDGET

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

BE IT RESOLVED, the Administrator is hereby authorized to modify the 2015/2016 Budget in the following manner:

Revenues - Other Classified 4-2770 \$150.00
Expenditures - Fire - Materials 3410-414 \$150.00 –Tim Hortons

Revenues - Other Classified 4-2770 \$500.00
Expenditures - Police Dept - Education Officers 3120-471 \$500.00 – NOCO

Revenues – Misc 4-2655 \$42,000.00
Expenditures – Land Purchase 1940-200 \$42,000.00 - Sale of Land

Revenues – State Aid Other 4-3830 \$3500.00
Expenditures – Justice – contractual services 1130-435 - \$3,500.00 JCAP Grant

Revenues – State Aid Other 4-3830 \$4,799.97
Expenditures – Fire – Protective Equipment 3410-402 - \$4,799.97 AED Grant

Revenues – Misc 4-2655 \$17,463.52
Expenditures – Fire – Protective Equipment 3410-402 - \$2,195 Auction
Expenditures –Electrical – Materials 3020.414 - \$283.43 Auction
Expenditures – Clerk – Contractual Services – 1410.434 \$380.09 Auction
Expenditures – DPW – Snow Chemical – 5142.415 \$14,605.00 Auction

Revenues – Misc 4-2655 \$6,288.00
Expenditures – DPW – Snow Chemical – 5142.415 \$6,288 Salt

Revenues – Misc 4-2655 \$45,500
Expenditures – Police – Contractual Services – 3120.435 \$45,500 Auction

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 -

<p>VILLAGE OF DEPEW BOARD MEETING MAY 23, 2016</p> <p>Agenda Item #13</p> <p><input type="checkbox"/> Approved <input type="checkbox"/> Denied</p>
