AGENDA

VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW
July 24, 2017 7:00PM

PLEDGE OF ALLEGIANCE

INVOCATION – Pastor Brian Williams – North Point Baptist Church

NOTIFICATION OF FIRE EXITS

ROLL CALL:
Trustee Jakubowski
Trustee Bukowiecki
Trustee Hamermik
Trustee Peterson
Mayor Nikonowicz

APPROVE VILLAGE BOARD MINUTES – June 26, 2017

APPROVE PLANNING BOARD MINUTES – July 6, 2017

1. Dominic Corigliano- 5230 Transit Road- 9 parking spaces in the right of way. The current zoning is C-2 Shopping Center District. Denied

2. Joseph Mancini DBA PJ Cools (Ice Cream Shoppe)- 6160 Transit Road- to review and site plans including the barriers for exterior dining. The current zoning is C-2 Shopping Center District. Accept with stipulations the plan to make the provisional into permanent allowing the 3 (three) outdoor tables with the condition of the approved barriers needing to be added.


4. Daniel Baccari - Left Coast Design Studio- representing Dave Frank from Buffalo Lift Truck- 5100 Broadway- a proposed 40' x 80' storage building. Zoning is C-2 Shopping Center District. Accept

5. C & S Engineers Inc. - Burgio & Campofelice- 2475 George Urban Blvd- develop the 19.27 acre site with a 196,000 sq. ft. warehouse building with employee parking and truck loading docks. Zoning is M-1 Light Industrial. Accept with stipulations: 1.that a wetland permit is obtained and 2.the engineer must have time to review the intersection road plans and the engineer must sign off.

6. Za Yar Nyo DBA Camellia Garden Restaurant- 5176 Transit Road- exterior dining on the preexisting dining deck. Zoning is C-2 Shopping Center District. Accept with stipulations 5 (five) tables with 4 (four) chairs at each maximum.

ACCEPT ZONING BOARD MINUTES – July 13, 2017

1. Thomas and Krista Lake- for the property located at 94 Meridian- requesting to permit a use variance to operate a dance/art studio in an R-1 Zone. Zoning Board approved the variance.

PUBLIC COMMENT – AGENDA ITEMS ONLY

1. Appoint Police Officer
2. Appoint PT Temporary Clerk
3. Accept resignation Police Officer
4. Wage Payment non-union
5. Accept Demo Bid
6. Permission Compensation Alliance
7. Permission Self Insured
8. Permission Grant Application
9. Permission Hydrant
10. Permission Outside Music - Magruders
11. Permission Outside Music – Car Show
12. Permission to Advertise Public Hearing - Road Safety Bloomfield
13. Permission to Advertise Public Hearing - Fire Department Incorporation
14. Employment Applications: Marilyn Roscoe,
15. Department Head Reports: Fire Department June 2017, Department of Public Works June 2017, Building department June 2017 report,
16. Unfinished and Other Business: Tax Relief Task Force June 2017
17. Public Concerns and Comments
18. Claims and Accounts
19. Adjournment
RESOLUTION

APPOINT POLICE OFFICER

Pursuant to Section 4-400 of Village Law, I, Mayor Jesse Nikonowicz, do hereby appoint Alekender Wojciechowicz, 101 French Rd, Depew NY 14043 to the position of Police Officer, effective July 25, 2017, at a starting salary of $40,702.00. This appointment is from Exam No.62-731, Civil Service List established June 23, 2017.

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

Trustee Jakubowski -
Trustee Bukowiecki -
Trustee Peterson -
Trustee Hamerink -
Mayor Nikonowicz -
RESOLUTION
July 24, 2017

APPOINT PART TIME TEMPORARY CLERK

Pursuant to Section 4-400 of Village Law, I Mayor Jesse Nikonowicz, do hereby appoint Marilyn Roscoe, 17 Pamela Dr., Depew NY 14043 to the position of Part Time Temporary Clerk, effective July 31, 2017 at a starting hourly wage of $16.27

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

Trustee Jakubowski -
Trustee Bukowiecki -
Trustee Peterson -
Trustee Hamerink -
Mayor Nikonowicz -

VILLAGE OF DEPEW
BOARD MEETING
July 24, 2017
Agenda Item #2

Approved ___ Denied
ACCEPT RESIGNATION – POLICE OFFICER

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

BE IT RESOLVED, the resignation of Robert D. Phelps as a Police Officer is accepted effective July 19, 2017.

The foregoing resolution was seconded by Trustee__________, and CARRIED.
WAGE PAYMENTS – NON-UNION

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

Whereas, the Union contract has been settled that non-union confidential employees and management similarly follow
and

Whereas, the Mayor and the board of trustee wish to give these non-union employees their raises along the same guideline of the settled contracts

BE IT RESOLVED, that the Village Administrator is authorized to give these non-union employees increases along the same guidelines as the settled contract.

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
July 24, 2017
Agenda Item # 4

__ Approved _ Denied
RESOLUTION

July 24, 2017

AWARD BID- DEMOLITION OF 511 TERRACE BLVD.

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

BE IT RESOLVED, that upon the Demolition of 511 Terrace Blvd from the bid opening on July 13, 2017 in the bid amount of $18,900.00 be awarded to:

Geiter Done of WNY
300 Greene Street
Buffalo, NY 14206

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 Hamernik -
Trustee Peterson –
Mayor Nikonowicz –
PERMISSION TO SIGN – COMPENSATION ALLIANCE

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

WHEREAS there has been proposed a "NEW YORK STATE MUNICIPAL WORKERS' COMPENSATION ALLIANCE PLAN DOCUMENT" pursuant to Section 50 3-a of the Workers' Compensation Law (hereinafter "the Plan"); and

WHEREAS the Village of Depew is eligible for membership in the Plan; and

WHEREAS the Village of Depew has made an independent investigation of the Plan and reviewed the Plan document, and has concluded that it would be in the interests of the Village of Depew to participate therein; now, therefore, be it

RESOLVED that the Village of Depew enter into membership in the Plan pursuant to
Section 50 Subdivision 3-a of the Workers' Compensation Law; and be it further

RESOLVED, that Village Administrator, Maureen Jerackas be and hereby is authorized and instructed to execute the Plan's charter document on behalf of the Village of Depew; and be it further

RESOLVED, that the custody of all joint Plan moneys by the Plan Administrator under the Plan be and the same hereby is approved.

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 -
PERMISSION TO SIGN – WORKERS COMP – SELF INSURANCE

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

"RESOLVED, that the Village of Depew hereby elects, pursuant to Subdivision 3-a of Section 50 of the Workers’ Compensation Law, to become a self-insurer as to Workers’ Compensation claims against this Municipality; and be it further

"RESOLVED, that pursuant to Section 50 Subdivision 3-a of said Workers’ Compensation Law, notice of such election shall be filed forthwith with the Chairman of the Workers’ Compensation Board, Self-Insurance Section; and be it further

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
July 24, 2017

Agenda Item # 7

Approved ___ Denied
PERMISSION – SEWER GRANT APPLICATION

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

WHEREAS, the Village Board of Trustees of the Village of Depew has determined that it is in the Village’s best interest to apply for funding to assist in the financing of the Village’s Phase II Sewer System Improvement Project and an Engineering Planning Grant to fund a Phase IV Sanitary Sewer System Evaluation Survey: and

WHEREAS, affordability for the Village’s residents and property owners is a significant concern in advancement of the proposed projects,

NOW, THEREFORE, be it RESOLVED as follows:

The Village Board of Trustees of the Village of Depew authorizes Municipal Solutions, Inc. to prepare applications for Water Quality Improvement Grant funding for 60% of the Phase II Sewer System Improvement Project Costs and an Engineering Planning Grant in the amount of $100,000 (20% local match requirement) to perform a Phase III Sanitary Sewer System Evaluation Survey through Round VII of the NYS Combined Funding Application Grant Process; and

The Village Board of Trustees authorizes Mayor Jesse Nikonowicz and Village Administrator-Clerk/Treasurer Maureen Jerackas to execute the applications necessary to apply for Consolidated Funding Application grant application funds and any and all other contracts, documents and instruments necessary to bring about the project and to fulfill the Village of Depew’s obligations under the 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

July 24, 2017

AUTHORIZE MAYOR TO SIGN PERMISSION – DOT

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

WHEREAS, DOT has requested permission to add a new, additional fire hydrant on Transit Road in the Village of Depew North of the Norfolk Southern Rail Road Bridge, 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, the Village will pay the yearly contract fee with Eric 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 DOT to add a New Fire Hydrant on Transit Road North of the Norfolk Southern Rail Road Bridge,

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
July 24, 2017

Agenda Item # 9

Approved ___ Denied
RESOLUTION

PERMISSION OUTDOOR MUSIC

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

WHEREAS, Shannon Buono from Magruders, 4995 Broadway, Depew, NY has filed a registration statement as required by Village Code §148-11 Noise with the Village Administrator on July 5, 2017 for a live band from 11:00 AM until 5 PM in the parking lot during the car show on Sunday August 6, 2017; and

BE IT RESOLVED, the Village Board does agree to allow the live music during the hours posted above and if allowed the noise must not surpass the decibel levels in Chapter 148.

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
July 24, 2017

Agenda Item #10

__Approved ___Denied
PERMISSION OUTDOOR MUSIC

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

WHEREAS, The Lancaster – Depew Rotary Club has filed a registration statement as required by Village Code §148-11 Noise with the Village Administrator on June 23, 2017 for a Car Show at Depew High School on Tuesday August 8, 2017 from 4:00 PM until 8:00 pm on 5201 S. Transit Rd.; and

WHEREAS, there will be live music; and

BE IT RESOLVED, the Village Board does agree to allow the live music during the hours posted above and if allowed the noise must not surpass the decibel levels in Chapter 148. Subject to building department Inspection.

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

July 24, 2017

AUTHORIZE ADMINISTRATOR TO ADVERTISE FOR PUBLIC HEARING FOR ROAD SAFETY ON BLOOMFIELD ST.

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

BE IT RESOLVED, the Village Administrator is hereby authorized to advertise for public hearing for road safety on Bloomfield St to take place on Monday August 28, 2017 at 7:01 PM in the council chambers.

The foregoing resolution was seconded by Trustee ____________, and CARRIED.

VILLAGE OF DEPEW
BOARD MEETING
July 24, 2017

Agenda Item #12
____ Approved ___ Denied
AUTHORIZE ADMINISTRATOR TO ADVERTISE FOR PUBLIC HEARING FOR FIRE DEPARTMENT INCORPORATION

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

BE IT RESOLVED, the Village Administrator is hereby authorized to advertise for public hearing for the fire department incorporation to take place on Monday August 28, 2017 following the 7:01 PM public hearing in the council chambers.

The foregoing resolution was seconded by Trustee__________, and CARRIED.