

MEETINGS: 12
NO. OF REGULAR: 11

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW
September 26, 2016**

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

ON A MOTION BY, Trustee Peterson, and seconded by Trustee Jakubowski, the September 12, 2016 Village Board Minutes were approved.

ON A MOTION BY, Trustee Bukowiecki, and seconded by Trustee Kucewicz, the September 1, 2016 Planning Board Minutes were approved individually as follows.

1. Dean Architects - Jon Davis- 21 Burkhardt Avenue- three (3) warehouse/ storage buildings & associated parking area. Tabled
2. Daryl Martin Architect P.C. - Jonathon Schmid- 5287 Transit Road- re-development of the former Depew Roller Rink to a multi-tenant commercial use building with associated parking area. Accept with stipulations.
3. C&S Engineers, Inc. - Burgio & Campofelice-2475 George Urban Blvd.- to address a traffic study and request approval to split the parcel. Accept the division of property as submitted and Table the site plans.
4. Barclay Damon, LLP - Up State Tower Co., LLC.- 0 Gould Avenue- to approve a proposed 150' self-support tower and telecommunications equipment. Accept with stipulations.
5. Barclay Damon, LLP - Up State Tower Co., LLC.- 200 Rutherford Place- to approve a proposed 150' self-support tower and telecommunications equipment. Accept with stipulations.
6. Barclay Damon, LLP - UP State Tower Co., LLC- Taylor Drive- to approve a proposed 150' self-support tower and telecommunications equipment. Accept with stipulations

PUBLIC COMMENT – AGENDA ITEMS ONLY

None

**AUTHORIZE MAYOR TO SIGN PENFLEX AUTHORIZATION FORM FOR
2016-17 SERVICE AWARD PROGRAM**

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

BE IT RESOLVED, that Mayor Jesse Nikonowicz, is authorized to sign the 2016/2017 Service Fee agreement to Penflex, Inc for the purpose of administering the 2016/2017 Service Award Program for Depew Firefighters.

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

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

**AUTHORIZE ADMINISTRATOR TO ADVERTISE FOR PUBLIC HEARING –
SIDE STREET PARKING**

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

BE IT RESOLVED, the Village Administrator is hereby authorized to advertise for public hearing to be held on October 24, 2016 at 7:00pm in regards to the Request to review one side parking on Green Terrace and additional side streets recommended by the Police Chief to be listed in the public notice. A petitions been received from residents on Green Terrace.

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

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

PROCLAIM OCTOBER 31, 2016 AS OFFICIAL TRICK OR TREAT NIGHT

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

BE IT RESOLVED, the Official Trick or Treat Night in the Village of Depew, in conjunction with the Town and of Lancaster and the Town of Cheektowaga, is hereby designated as Monday, October 31, 2016 between the hours of 6:00 PM – 8:30 PM.

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

CHANGE OF VILLAGE BOARD MEETING DATE

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

BE IT RESOLVED, the Village Board Meeting scheduled for Monday, October 10, 2016 is hereby changed to Tuesday, October 11, 2016 due to the Columbus Day Holiday.

The foregoing resolution was seconded by Trustee Bukowiecki, and **CARRIED**.

MODIFY 2016/2017 BUDGET

Trustee Jakubowski, 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 \$1050.00

Expenditures - Fire - Materials 3410-414 \$1050.00 –Tim Hortons

Revenues - Misc 4-2655 \$300.00

Expenditures - Fire - Materials 3410-414 \$300.00 –Tim Hortons

Revenues – Misc 4-2655 \$750.00

Expenditures - Fire - Materials 3410-414 \$750.00 –Depew Retail LLC

Revenues – Other Classified 4-2770 \$4,691.86

Expenditures – Electrical –Public Safety \$4,691.86 - Energy Saving Rebate

Revenues – Misc 4-2655 \$49.34

Expenditures – Electrical –Public Safety \$49.34 - Recycling

Revenues - Misc 4-2655 \$150.00

Expenditures - Fire - Materials 3410-414 \$150.00 –Helping Hands Day Care

Revenues - Other Classified 4-2770 \$300.00
Expenditures - Fire - Materials 3410-414 \$300.00 –SouthEast Works

Revenues – Other Classified 4-2770 \$7,850.00
Expenditures – Fire – Repairs to Auto 3410-451 - \$150.00 Ins Recovery
Expenditures – Fire – Repairs to Truck 3410-451 - \$4,500.00 Ins Recovery
Expenditures – Fire – Materials 3410-414 - \$3,200.00 Ins Recovery

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

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

PERMISSION – DEPEW HIGH SCHOOL MOTORCADE

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

WHEREAS, the Depew High School Student Senate has made application for a Motorcade escort for Friday, October 14, 2016 at approximately 12 PM, and

WHEREAS, said motorcade route and traffic enforcement has been authorized by the Police Department and the Depew Fire Department will participate in the Motorcade.

NOW, THEREFORE BE IT RESOLVED, that permission is granted to the Depew High School Senate to hold the above-mentioned Motorcade on Friday, October 14, 2016.

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

PERMISSION – DEPEW HIGH SCHOOL BONFIRE

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

BE IT RESOLVED, permission is hereby granted to the Depew High School Varsity D Club to hold their annual bonfire on Tuesday October 11, 2016 at 7:30 PM on the football practice field behind the Depew Schools bus garage. The Depew Fire Department will be present to provide fire protection with the following stipulations:

1. The Fire Marshall must meet with an adult advisor prior to 6:30 pm on the day of the event to inspect the site and review emergency procedures.
2. No flammable liquids are to be used in lighting the bonfire.
3. The Depew Fire Department will supervise the lighting of the bonfire and will remain on standby for the duration of the event.
4. The Depew Fire Department reserves the right to cancel the bonfire in the event of adverse weather conditions (high winds) or any other condition that may adversely affect public safety.

Depew Police personnel will be present to maintain order and supply necessary traffic enforcement.

The forgoing resolution was seconded by Trustee Jakubowski , and **CARRIED**

PERMISSION – DEPEW FIRE DEPT

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

Permission is hereby granted to Central Hose Company #4 to assist in the Wedding Ceremony of their Captain Brian Park on Saturday October 1, 2016 at St. John’s Church for Pictures.

The foregoing resolution was seconded by Trustee Bukowiecki, and **CARRIED.**

REJECT BID- 2016 Sewer Project AND PERMISSION TO ADVERTISE REBID

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

BE IT RESOLVED, that upon the recommendation of the Village Engineer and Village Attorney, all the bids for the 2016 Sewer Project from the bid opening on September 7, 2016 are being rejected.

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

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

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

EMPLOYMENT APPLICATIONS

None.

DEPARTMENT HEAD REPORTS

Recreation – Skating is going and they are working on the Tree Lighting

Code Enforcement –None.

Police – The speed sign is in and DPW is modifying it to make it mobile. The Mayor asked if Terrace could be #1 and Bloomfield #2 for locations.

Fire – the new pumper will be in early next week. They halls will be giving out cider and donuts for Halloween.

Phil – Sewer lining, camera sewers, leaf picking and a project with the fire halls fixing the brink and other issues, saving a good deal from the quote. Board said Good Job.

COMMITTEE REPORTS

None.

UNFINISHED AND OTHER BUSINESS

None.

PUBLIC CONCERNS AND COMMENTS

Leigh Weight – 114 Irving – Read a letter From David M. Bixby because he was not able to attend. The letter stated he was lied to when he was approached to sign the petition and wanted his name removed. This letter was submitted. She notified everyone of a meeting to be held September 30th at 7Pm at the Eagles in the back room 4569 Broadway. The meeting is to fight the possible dissolution of the village and everyone was welcome.

Richard Bridenbaker – 37 Rogers – He stated that when he was approached to sign the petition he was told he was signing to save the village. He was very upset that he stated he did ask direct questions and even had a vote no sign on his lawn. He told her his position and she said she was fighting for the village. He believed this needed to be addressed as with those involved.

Chet Martin – 350 Gould – Many people were duped to sign for study or other reason, and did not know why they needed to lie. Wanted to know when the vote would be. It was responded to by the mayor after the 10 day window it will be 60-90days after 30 days to announce date. The vote will be at village hall. A lot of work needs to be done for this. Asked who would pay for the vote and extra time. Mayor – the Village has to pay. He feels that the people that collected the signatures should pay for it.

Author Karanowski – Seabert Ave Depew – He felt that he was lied to when they were collecting signatures. He said he knew more about the village than the person collecting. They never said the residents would be responsible for the 8 million in debt. He feels the cart was put before the horse. He believes that the village workers are the best there are. He stated he lived here for 50 years. He said he was very emotional. He wanted to keep his streets plowed and parks. He said they women collecting the signature said she would probably be dead before it went through, showing it was only for a study. He will do everything in his power to keep the village.

Russ Freund – Woodview Drive (Colney and Forestview) – Stated that the people collecting the signatures misrepresented the petition in his area. He asked the village Attorney about what could they do if they were misrepresenting into signing the petition. Kathleen responded that she verified it with NYCOM but nothing in the law says they can be taken off the petition. She said people can go to the board of Elections but the village cannot do that. They can bring an action. The village needs to be unbiased. Kathy said they would need an attorney not just a letter. He has been a resident since 1974 he is very happy with the services, gets a deal with his tax money and everyone is doing a good job.

Jeff Morgan – 7 Conner Drive – He sighted activities he has done in the village since he was 5, his entire family lives in the village and he asked some people who were collecting signatures should be ashamed and He hoped they were happy.

Jamie Nusall – 274 Terrace – People did not come to his house, probably because they knew better. He said they people in the newspaper are not here to answer for what they did.

Gabby Miller – 61 Olmstead Ave – She stated because a person signs a petition doesn't mean they will vote for dissolution, it just means they want it brought to the people. Just because she signed it didn't mean she brought about the petition and people should not harass her. The administrator verified she did not collect signatures on the petition or her name on the letter presenting the petition.

William Curr – 60 Forestview Drive – Saw informational pamphlet and wanted to share Meeting with NYCOM October 6th at 7PM Depew High school Aud. He stated that a relative that worked for the board of elections said they have a solid case for a class action Law suit.

Nick Sherwood – 27 Forestview – If this goes to a vote, everyone here vote and tell 20 people you know to vote. Also if they papers print what was said at this meeting by the public, about people being misled so they can rethink what they signed.

The Mayor noted Bob Brandon from Senators Kennedy's office was in attendance.

CLAIMS AND ACCOUNTS

ON A MOTION BY Trustee Bukowiecki, seconded by Trustee Kucewicz, the following claims are to be paid: General \$150,149.50, Sewer \$3,227.38, Capital Projects \$1,326.65, Total Amount \$154,703.53, **CARRIED.**

ADJOURNMENT

ON A MOTION BY Trustee Peterson, seconded by Trustee Jakubowski, the meeting was adjourned at **7:38 PM** applauding Audrey Hamernik the 2016 Lancaster community Service award recipient. The motion was **CARRIED.**

Respectfully submitted,

Maureen Jerackas
Village Administrator