

MEETINGS: 11
NO. OF REGULAR: 11

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW
September 28, 2015**

INVOCATION was performed by Pastor Nelson McCall of Hillview Baptist Church.

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

ON A MOTION BY, Trustee Hammer, and seconded by Trustee Bukowiecki, the September 14, 2015 Village Board Minutes were approved.

ON A MOTION BY, Trustee Kucewicz, and seconded by Trustee Peterson, the September 24, 2015 Zoning Board Minutes were accepted.

PUBLIC COMMENT – AGENDA ITEMS ONLY

Dan Beutler – 26 Tyler Street – Asked the reason for modifying the budget?

Mayor Nikonowicz – The budget was modified due to our auditor’s telling us to do so.

Dan Beutler – Asked how much it was being modified?

Trustee Kucewicz – Said one was \$35.00 and one was for \$90.00.

Paul Sprada – 58 Argus Drive – Asked about the appointment of the Janitor. What are the part time hours? Which Fire Station, and how was he chosen?

Mayor Nikonowicz – The Janitor is just a replacement due to the previous person resigning around 3 months ago. The replacement will be for the North Side Fire Hall.

Fire Chief Joe Whipkey – Added that the part-time hours will be 12 hours.

APPOINT CUSTODIAN – FIRE HALL

Pursuant to Section 4-400 of Village Law, I Mayor Jesse Nikonowicz, do hereby appoint Michael Fray, 3014 George Urban Boulevard, Depew, NY 14043 to the position of Custodian at the North Side Fire Hall, effective 9/14/2015, at a rate of \$8.75 per hour.

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

Trustee Hammer - Yes
Trustee Bukowiecki - Yes
Trustee Peterson - Yes
Trustee Kucewicz - Yes
Mayor Nikonowicz - Yes

MODIFY 2015/2016 BUDGET

Trustee Bukowiecki, 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:

Increase Budgeted Revenues – Unclassified Revenue – 10-4-2770 – \$90.00

Increase Budgeted Expenses – Fire Department – Chemicals – 5-11640-453 – \$90.00
Increase Budgeted Revenues – Unclassified Revenue – 10-4-2770 – \$35.74
Increase Budgeted Expenses – Central Garage – Repairs to Equip. – 5-1640-453 - \$35.74

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

Trustee Hammer - Yes
Trustee Bukowiecki - Yes
Trustee Peterson - Yes
Trustee Kucewicz - Yes
Mayor Nikonowicz - Yes

AUTHORIZE MAYOR TO SIGN JUSTICE COURT GRANT APPLICATION

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

WHEREAS, the State of New York Unified Court System is offering a Justice Court Assistance Program with grants available up to \$30,000 and Judge Willis would like to apply for this program,

BE IT RESOLVED, Mayor Jesse Nikonowicz and the Board of Trustees hereby approve this application and Mayor Jesse Nikonowicz is authorized to sign the Justice Court Assistance Program Grant Application.

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

Trustee Hammer - Yes
Trustee Bukowiecki - Yes
Trustee Peterson - Yes
Trustee Kucewicz - Yes
Mayor Nikonowicz - Yes

PROCLAIM OCTOBER 31, 2015 AS OFFICIAL TRICK OR TREAT NIGHT

Trustee Hammer, 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 of Lancaster and the Town of Cheektowaga, is hereby designated as Saturday, October 31, 2015 between the hours of 6:00 PM – 8:30 PM.

The foregoing 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 13, 2015 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 foregoing resolution was seconded by Trustee Bukowiecki, and **CARRIED.**

PERMISSION – DEPEW HIGH SCHOOL MOTORCADE

Trustee Peterson, 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 16, 2015 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 16, 2015.

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

PERMISSION SEMINAR

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

BE IT RESOLVED, permission is hereby granted to Michael Hall and Ron Maciejewski, members of the Planning Board, to attend the Village Officials Association Planning and Zoning Board Training Sessions on Wednesday October 21, 2015 and Tuesday October 27, 2015 7-9 PM in Orchard Park, NY. There is no cost for the training. Use of a Village vehicle is authorized.

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

PERMISSION SEMINAR

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

BE IT RESOLVED, permission is hereby granted to Maureen Jerackas, Village Administrator, to attend the Organization of Public Employer Negotiators Training on Friday October 16, 2015 in Cheektowaga, NY. The cost of the school is \$80.00. Use of a Village vehicle is authorized.

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

AUTHORIZE USE OF SENIOR CENTER FOR TRI-COMMUNITY FOOD PANTRY ANNUAL HOLIDAY PARTY

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

WHEREAS, the Tri-Community Food Pantry wishes to have their annual holiday party for members of our community,

BE IT RESOLVED, that the Tri-Community Food Pantry is given permission to utilize the Depew Senior Center for this party on Saturday, December 19, 2015 from 12:30 PM – 2:30 PM.

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

EMPLOYMENT APPLICATIONS

Recreation Department – Katelynn Frawley & Melissa Green

DEPARTMENT HEAD REPORTS

DPW – Phil Fleck – Depew was chosen for a Storm-water Management audit. This is the first one we have done so the Engineer and Building Department will be assisting when needed.

Building Department – Anthony Fischione – August Building Report. The following inspections were completed for the month of August 2015:

- 79 Permits Issued
- 31 Sewer Inspections
- 65 Fire Inspections
- 36 Construction Inspections
- 28 Certificates of Occupancy/Compliance
- 39 Complaints Answered
- 33 Violations Issued

ON A MOTION BY Trustee Kucewicz, seconded by Trustee Bukowiecki, the department head reports were accepted as presented.

COMMITTEE REPORTS

No reports.

UNFINISHED AND OTHER BUSINESS

Public Notice read by Carmi Poss, Deputy Village Clerk:

PUBLIC NOTICE

Per New York State Agriculture and Markets Law Section 303-b, the Erie County Legislature designated September 1 through September 30 as the annual thirty-day period during which landowners may submit requests to include predominantly viable agricultural land into an existing certified agricultural district.

Copies of the application form have been provided to Municipal Clerks, Assessors, and Chief Elected Officials for distributions to interested landowners. The application is also available on the DEP website at www.erie.gov/environment.

The Erie County Department of Environment and Planning will accept applications from September 1 through September 30. Any questions on this process should be directed to the Erie County Department of Environment and Planning.

A public hearing will also be scheduled a later date to consider all inclusion requests and the recommendations of the Erie County Agricultural and Farmland Protection Board.

PUBLIC CONCERNS AND COMMENTS

Dan Beutler – 26 Tyler Street – Questioned the status on the Lincoln Street Bridge?

Mayor Nikonowicz – The concrete was supposed to be poured today but was cancelled due to the drizzle.

Phil Fleck – DPW Superintendent – The owner wanted to be on site while the concrete was being poured, and his father passed away. There have been many things that have gone wrong with this project (including Erie County Water issues) and we have made it known we are not happy.

Dan Beutler – 26 Tyler Street – Questioned the Building Department about what is going on with the property on Walden & Lincoln?

Tony Fischione – Building Department – The property owner was served papers and was given thirty days to act. We have to wait thirty days to see what happens.

Joan Priebe – 15 Howard Lane – Wants to thank the Village for finally getting her driveway fixed correctly. She questioned whether the West End Fire Hall will be going out on Beggars night instead of the Village's Official Halloween night on October 31st?

Mayor Nikonowicz – Polled the Board and they all agreed that they would allow the Fire Department to do Beggar's night.

Joe Whipkey – Fire Chief – At the last open forum a resident voiced concerns about beggar's night. They like it and did not want it to get taken away.

Audrey Hamernik – 87 Marylou Lane – Stated she is a resident in that area and she enjoys the kid's coming on beggar's night and would like it to continue. She also commented that the presence of Fire and Police patrol makes it a safe and fun environment for the children.

Paul Sprada – 58 Argus Drive – Wanted to thank the Board for inviting the various pastors to do the invocations at the meetings, it is nicer and brings the community together. He also wanted to thank them for redoing the gazebo at Veteran's Park. It looks great.

Mayor Nikonowicz – The gazebo project was funded by the IDA.

CLAIMS AND ACCOUNTS

ON A MOTION BY Trustee Kucewicz, seconded by Trustee Hammer, the following claims are to be paid: Sewer \$6,780.99, Capital Projects \$11,820.88, General \$198,077.39, Community Development \$6,900.79, Capital \$223,580.05, **CARRIED.**

ADJOURNMENT

ON A MOTION BY Trustee Peterson, seconded by Trustee Bukowiecki, the meeting was adjourned at **7:24 PM** in the in honor of the upcoming Columbus Day Holiday with the reminder that the meeting will be held on that Tuesday after Columbus Day. The motion was **CARRIED.**

Respectfully submitted,

Carmi Poss
Deputy Clerk