

MEETINGS: 18  
NO. OF REGULAR: 17

**VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF DEPEW**  
**January 8, 2018 7:00PM**

ROLL CALL: Trustee Jakubowski - ABS  
Trustee Bukowiecki Y  
Trustee Hamernik - Y  
Trustee Peterson - Y  
Mayor Nikonowicz – Y

**ON A MOTION BY**, Trustee Hamernik, and seconded by Trustee Peterson, the December 11, 2017 Village Board Minutes were approved.

**PUBLIC COMMENT**

Dave Burkhart – 5 Autumn Lea – Are the 2 officer’s replacements? 1 is a replacement, 1 is for expected retirement.

Paul Sprada – 58 Argus Dr. – Land Bank asked if specific property. Mayor said it is a specific property that could be adding to tax roll if developed. Kathy added the land was Land locked /vacant land.

Karen Howard was there for Mitch Martin and Councilman Walters from Lancaster

**APPOINT POLICE OFFICER**

Pursuant to Section 4-400 of Village Law, I Mayor Jesse Nikonowicz, do hereby appoint Christopher Keib, 385 North Creek., Depew NY 14043 to the position of Police Officer, pending the physical and psychological exam, effective January 20, 2018 at a starting salary of \$42,874.84. This appointment is from Exam No.62-731, Civil Service List established November 15, 2017.

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

Trustee Jakubowski - Abs  
Trustee Bukowiecki - Y  
Trustee Hamernik - Y  
Trustee Peterson - Y  
Mayor Nikonowicz - Y

**APPOINT POLICE OFFICER**

Pursuant to Section 4-400 of Village Law, I Mayor Jesse Nikonowicz, do hereby appoint Lindsey Maulucci, 84 Lee St., Depew NY 14043 to the position of Police Officer, pending the physical and psychological exam, effective January 21, 2018 at a starting salary of \$42,874.84. This appointment is from Exam No.62-731, Civil Service List established November 15, 2017.

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

Trustee Jakubowski - ABS  
Trustee Bukowiecki - Y  
Trustee Hamernik - Y  
Trustee Peterson - Y  
Mayor Nikonowicz - Y

**APPOINT TEMPORARY PART TIME REGULAR LABORER RECREATION**

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

Kohlwyn Szuba – 3 Melody Ln, Cheektowaga, NY 14225

to the position of Temporary Part Time Regular Laborer Recreation at \$11.53 per hour effective December 12, 2017.

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

Trustee Jakubowski – ABS  
Trustee Bukowiecki - Y  
Trustee Hamernik - Y  
Trustee Peterson - Y  
Mayor Nikonowicz - Y

**APPOINT PART TIME LABORER RECREATION**

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

Mark Lubera – 25 Clark St, Lancaster, NY 14086

to the position of Part Time Laborer Recreation at \$11.53 per hour effective January 9, 2018.

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

Trustee Jakubowski – ABS  
Trustee Bukowiecki - Y  
Trustee Hamernik - Y  
Trustee Peterson - Y  
Mayor Nikonowicz - Y

**APPOINT PART TIME PUBLIC SAFETY DISPATCHERS POLICE**

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

Jennifer Purpura – 205 Gould Ave, Depew, NY 14043  
Joseph Trzepacz – 3704 Walden Ave. Apt C, Lancaster, NY 14086

to the position of Part Time Public Safety Dispatchers Police at \$15.55 per hour effective January 9, 2018.

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

Trustee Jakubowski – ABS  
Trustee Bukowiecki - Y  
Trustee Hamernik - Y  
Trustee Peterson - Y  
Mayor Nikonowicz - Y

## **MODIFY 2017/2018 BUDGET**

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

**BE IT RESOLVED**, the Administrator is hereby authorized to modify the 2017/2018 Budget in the following manner:

Revenues - Other Classified 4-2770 - \$150.00  
Expenditures - Fire - Materials 3410-414 - \$150 – PCB Piezotronics

Revenues – Other Classified 4-2770 - \$771.00  
Expenditures - Fire - Materials 3410-414 - \$771.00 – Refund– Gear Racks

Revenues – Other Classified 4-2770 - \$593.00  
Expenditures - Fire - Materials 3410-414 - \$593.00 –Cleaning of gear from Lawrence Gabriel

Revenues – Other Classified 4-2770 - \$730.00  
Expenditures –Fire –Materials –3410-414 - \$730.00 – Geico Insurance – Property Damage

Revenues – Other Classified -4-2770 - \$7.24  
Expenditures – Electrical - Materials-3020-414- \$7.24 – Twin Village Recycling

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

Trustee Jakubowski - ABS  
Trustee Bukowiecki –Y  
Trustee Hamernik - Y  
Trustee Peterson - Y  
Mayor Nikonowicz – Y

## **MODIFY 2017/2018 BUDGET**

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

**BE IT RESOLVED**, the Administrator is hereby authorized to modify the 2017/2018 Budget in the following manner:

See attached spreadsheet with budget transfers.

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

Trustee Jakubowski- ABS  
Trustee Bukowiecki - Y  
Trustee Hamernik - Y  
Trustee Peterson- Y  
Mayor Nikonowicz - Y

## **ADOPT / MODIFY UPDATED EMPLOYEE HANDBOOK**

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

**BE IT RESOLVED**, The Village Board will adopt / modify the current Employee Handbook. The handbook will be distributed to all employees of the Village.

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

Trustee Jakubowski – ABS  
Trustee Bukowiecki -Y  
Trustee Hamernik -Y  
Trustee Peterson - Y  
Mayor Nikonowicz – Y

## **MAYOR TO SIGN REIMBURSEMENT AGREEMENT**

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

**WHEREAS**, the Village has become aware of vacant land located within the Village where county taxes have been delinquent for more than a decade, such property being, SBL# 103.76-2-17, located on “B Street and being Residential Vacant Land, hereinafter known as the “Property”, and

**WHEREAS**, a local housing developer owns other vacant land surrounding the Property, as well as all access to B Street, and

**WHEREAS**, the Developer would like to acquire the Property for the purpose of building and developing the Property, and

**WHEREAS**, the Village believes that the development of the property would be beneficial to the Village and to the taxable income of the Village, and

**WHEREAS**, the Village proposes to request that the Land Bank of WNY acquire the property through an In rem procedure to sell to the Developer, but wishes to incur no cost in making the request to the WNY Land Bank, and

**WHEREAS** the Developer agrees to bear all costs related to the acquisition of the property by the WNY Land Bank and any subsequent transfer to the Developer, and

**WHEREAS**, the Village and the Developer wish to work together for that purpose,

### **NOW WHEREFORE, BE IT RESOLVED,**

That Mayor Jesse Nikonowicz is authorized to enter into a written agreement with the Developer allowing the Village to refer the property to the WNY Land Bank and for the Developer to reimburse the Village for all costs of the Land Bank acquisition.

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

Trustee Jakubowski - ABS  
Trustee Bukowiecki - Y  
Trustee Hamernik - Y  
Trustee Peterson - Y  
Mayor Nikonowicz - Y

## **REQUEST TO ACQUIRE - LAND BANK**

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

**WHEREAS**, in July 2011 in recognition of the growing problem of distressed, vacant, abandoned, and tax-delinquent properties, New York State passed the Land Bank Act, as Article 16 of the New York State Not-for-Profit Corporation Law, which authorizes any Foreclosing Governmental Unit (FGU) to create a land bank to strategically acquire, improve, assemble, and sell these properties; and

**WHEREAS**, under this law, the Buffalo Erie Niagara Land Improvement Corporation (BENLIC) was formed in May 2012 via an inter-municipal agreement among the county’s four FGUs: Erie County and the Cities of Buffalo, Lackawanna, and Tonawanda; and

**WHEREAS**, county-wide land banks have proven highly successful in Michigan, Ohio, and other regions experiencing growing numbers of problem properties by supporting municipal and regional revitalization efforts by strategically acquiring, improving, assembling, and selling these properties; and

**WHEREAS**, BENLIC (the land bank) seeks to work collaboratively with the cities, towns, and villages within Erie County to address the growing problem of distressed vacant, abandoned, and tax-delinquent properties; and

**WHEREAS**, the Depew Municipality, Erie County, has recognized the need to address the growing issues of distressed, vacant, abandoned, and tax-delinquent properties and is desirous of partnering with BENLIC to address this problem.

NOW, THEREFORE, BE IT RESOLVED, that Depew Municipality hereby officially requests the BENLIC acquire the following properties:

#1 B Street 103.76-2-17

; and be it further

RESOLVED, that the Depew Municipality has completed the requested Standardized Inspector's Reports and Maintenance, Disposition and Reuse Plans (SIR/MDR plans) each property listed above and has attached the SIR/MDR plan to this resolution; and be it further

RESOLVED, that the Depew Municipality agrees to reimburse Erie County for the cost associated with foreclosure of this property; and be it further

RESOLVED, that the Depew Municipality agrees to maintain each property selected by BENLIC during the time in which BENLIC holds title to the property; and be it further

RESOLVED, that The Village of Depew hereby agrees to the terms and conditions of the BENLIC Pay it Forward Policy, adopted September 19, 2014 and that pursuant to section 1610 of the New York Not-for Profit Corporation Law will remit to BENLIC 50% of real taxes collected for a period of five years on all of the parcels identified herein for which, upon disposition of the parcel, net proceeds are negative

#1 B Street 103.76-2-17

;and be it further

RESOLVED, that certified copies of this resolution will be sent to the Executive Director of the Buffalo Erie Niagara Land Improvement Corporation; Commissioner of the Erie County Department of Environment and Planning; the Director of the City of Buffalo's Office of Strategic Planning; and the Mayors of the Cities of Lackawanna and Tonawanda.

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

Trustee Jakubowski – ABS  
Trustee Bukowiecki - Y  
Trustee Hamernik -Y  
Trustee Peterson - Y  
Mayor Nikonowicz - Y

**EMPLOYMENT APPLICATIONS** – Recreation – Marie Fleck, Kohlwyn Szuba, Mark Lubera, Police – Jennifer Purpora, Joseph Trzpaetz, Village Hall – Lori Cameron, Jacelyn Mamon

**DEPARTMENT HEAD REPORTS**

**ON A MOTION BY**, Trustee Hamernik, and seconded by Trustee Peterson, Fire – November 2017, Police – November 2017, Building – December 2017

DPW – Leaf pick up suspended, picking up trees, going through salt fast, sidewalk plow had been out. Main though fare & transportation routes. Mayor & employees thrilled to have John back.

Jim – Rec – Looking for lifeguards

Code – NONE

Police Chief – Thankful for two new people, Lieutenants recommended both, Chief appreciated the board approving both. Reviewed his yearly report.

Fire – NONE

## **UNFINISHED AND OTHER BUSINESS**

### **PUBLIC CONCERNS AND COMMENTS**

Dave Burkhart – 5 Autumn Lea – Directed to John DPW– Transit & Como Park snow issue, This is not in the village of Depew and Cheektowaga Code would take the complaint for that area.

Karen Howard – Senator Gallivan’s office -Recycling event from Gallivan’s Office – Feb 3, 2018  
East Aurora Park School, 9:30AM – 1PM – Electronics Collection

Founder’s Day – Mitch will help again

Matt Walter – 21 Central Ave – Liaison to Villages. Dawn will be ours. He will be Lancaster. He is a liaison to the library. Lancaster most used library and by Depew residents. Friends of Librarian STEM programs, Public room so busy, no free time. Depew residents – 25% usage.

### **CLAIMS AND ACCOUNTS**

**ON A MOTION BY** Trustee Bukowiecki, seconded by Trustee Peterson, the following claims are to be paid: \$412,313.24 General, \$920.00 Sewer, \$4,689.20 Capital Projects, \$417,922.44 Capital was **CARRIED**.

### **ADJOURNMENT**

**ON A MOTION BY** Trustee Hamernik, seconded by Trustee Peterson, the meeting was adjourned with a moment of silence for Shirley Miller, Lt. Jerry Miller’s mother at **7:35 PM**. The motion was **CARRIED**.

Respectfully submitted,

Maureen Jerackas  
Village Administrator